

SENATE

20 FEB -3 P5 54

COMMITTEE REPORT NO. 35

RECEIVED BY:



Submitted by the Committee on Agriculture, Food and Agrarian Reform on
FEB - 3 2020.

Re: Senate Bill No. 1318

Recommending its approval in substitution of S. Nos. 34, 146, 648 and 773

Sponsor: Senator Cynthia A. Villar

Mr. President:

The Committee on Agriculture, Food and Agrarian Reform to which were referred Senate Bill No. 34, introduced by Senator Pangilinan, entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010"

Senate Bill No. 146, introduced by Senator Villar, entitled:

"AN ACT AMENDING CERTAIN SECTIONS OF REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT 2010"

Senate Bill No. 648, introduced by Senator Revilla Jr., entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 10068, OTHERWISE KNOWN AS THE ORGANIC AGRICULTURE ACT OF 2010"

Senate Bill No. 773, introduced by Senator Poe, 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"

has considered the same and has the honor to report them back to the Senate with the recommendation that the attached bill, S. No. 1318, prepared by the Committee, entitled:

"AN ACT AMENDING REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010"

be approved in substitution of S. Nos. 34, 146, 648 and 773 with Senators Francis "Kiko" Pangilinan, Cynthia A. Villar, Ramon Bong Revilla Jr. and Grace L. Poe as authors thereof.

RESPECTFULLY SUBMITTED:



CYNTHIA A. VILLAR

Chairperson, Committee on Agriculture, Food and Agrarian Reform

Members



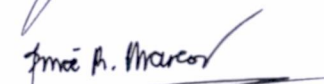
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President
Senate of the Philippines

SENATE

20 FEB -3 P5:54

Senate Bill No. 1318

RECEIVED BY: 

(In substitution of Senate Bill Nos. 34, 146, 648 and 773)

Prepared by the Committee on Agriculture, Food and Agrarian Reform with Senators Francis "Kiko" Pangilinan, Cynthia A. Villar, Ramon Bong Revilla Jr., and Grace L. Poe as authors thereof

**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:*

1 **SECTION 1.** Section 2 of Republic Act No. 10068, otherwise known as
2 "An Act Providing for the Development and Promotion of Organic Agriculture in
3 the Philippines and for Other Purposes," is hereby amended, to read as follows:
4

5 "SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of
6 the State to promote, propagate, develop further and implement the
7 practice of organic agriculture in the Philippines that will cumulatively
8 condition and enrich the fertility of the soil, increase farm productivity
9 AND FARMERS' INCOMES, reduce pollution and destruction of the
10 environment, prevent the depletion of natural resources, further protect
11 the health of farmers, consumers, and the general public, [and] save on
12 imported farm inputs AND PROMOTE FOOD SELF- SUFFICIENCY.
13 Towards this end, a comprehensive program for the promotion of

1 community-based organic agriculture systems which include, among
2 others, farmer-produced [~~purely organic fertilizers such as compost,~~
3 pesticides] ORGANIC SOIL AMENDMENTS, BIO-CONTROL AGENTS and
4 other farm inputs, together with a nationwide educational and
5 promotional campaign for their use and processing[,], SHALL BE
6 ESTABLISHED.

7
8 LIKewise, A NATIONWIDE EDUCATIONAL AND AWARENESS
9 CAMPAIGN AMONG CONSUMERS ON THE BENEFITS OF CONSUMING
10 ORGANIC PRODUCTS TO BOOST LOCAL PRODUCTION OF ORGANIC
11 FOOD AND NON-FOOD PRODUCTS, as well as adoption of organic
12 agricultural system as a viable alternative shall be undertaken.

13
14 XXX"

15
16 **SEC. 2.** Section 3 of Republic Act No. 10068 is hereby amended, to read
17 as follows:

18
19 "SEC. 3. *Definition of Terms.*- For purposes of this Act, the
20 following terms shall be defined as follows:

21
22 XXX

23
24 (h) *Certification* is the procedure by which [~~official certification bodies~~]
25 A GOVERNMENT AGENCY OR AN ORGANIC CERTIFYING BODY (OCB)
26 [~~or officially recognized certification bodies~~] provides written or
27 equivalent assurance that [~~foods or food control systems~~] CORE
28 PARTICIPATORY GUARANTEE SYSTEM (PGS) GROUPS conform to
29 [~~requirements~~] ORGANIC AGRICULTURE STANDARDS AS PROVIDED IN
30 THIS ACT.

31

1 (i) *Accreditation* is the procedure by which a government agency
2 having jurisdiction formally recognizes the competence of an
3 [~~inspection and/or certification~~] ORGANIC CERTIFYING body to provide
4 inspection and certification services.

5
6 (O) INSPECTION AND CERTIFICATION REFERS TO THE PROCESS OF
7 ESTABLISHING WHETHER A FARM IS COMPLIANT WITH ORGANIC
8 AGRICULTURE STANDARDS.

9
10 (P) *ORGANIC BIO-CONTROL AGENTS* REFER TO ORGANISMS AND
11 THEIR ASSOCIATED METABOLITES AS WELL AS NATURALLY
12 OCCURRING SUBSTANCES THAT CONTROL PESTS AND DISEASES.
13 THESE ARE CLASSIFIED AS BOTANICALS, MACROBIALS, MICROBIALS,
14 AND SEMIOCHEMICALS.

15
16 (Q) *ORGANIC CERTIFYING BODY* (OCB) REFERS TO A LEGAL ENTITY
17 ACCREDITED BY A GOVERNMENT AGENCY TO PERFORM INSPECTION
18 AND CERTIFICATION ACTIVITIES.

19 A CORE PGS GROUP, SEEKING TO BECOME AN ORGANIC
20 CERTIFYING BODY, SHALL FIRST BE CERTIFIED BY BAFS AS
21 COMPLIANT WITH ORGANIC AGRICULTURE STANDARDS AND
22 WITHOUT ANY INFRACTION FOR THE PAST THREE (3) YEARS. THIS
23 SHALL ALSO SERVE AS BASIS FOR ITS ACCREDITATION AS AN
24 ORGANIC CERTIFYING BODY.

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

29 ANY PRIVATE GROUP OR ORGANIZATION ACTUALLY ENGAGED
30 IN ORGANIC AGRICULTURE, FOR THE PAST FIVE (5) YEARS, AS A
31 DIRECT ORGANIC FARM PRODUCER, AS A PROMOTER/ADVOCATE OF
32 THE WAYS, METHODS AND PRINCIPLES OF ORGANIC AGRICULTURE,

1 OR AS A MARKETER OF ORGANIC AGRICULTURE PRODUCE MAY ALSO
2 APPLY TO BECOME AN ORGANIC CERTIFYING BODY.

3
4 (R) *ORGANIC SOIL AMENDMENTS* REFER TO ALL THE PRODUCTS
5 WITHIN THE SCOPE OF THE PHILIPPINE NATIONAL STANDARD, I.E.
6 ORGANIC FERTILIZERS, COMPOST/SOIL CONDITIONER, MICROBIAL
7 INOCULANTS, AND ORGANIC PLANT SUPPLEMENTS THAT ARE ADDED
8 TO THE SOIL TO IMPROVE ITS PHYSICAL PROPERTIES.

9
10 (S) *PARTICIPATORY GUARANTEE SYSTEM (PGS)* REFERS TO A
11 LOCALLY-FOCUSED QUALITY ASSURANCE SYSTEM WHICH IS
12 DEVELOPED AND PRACTICED BY PEOPLE ACTUALLY ENGAGED IN
13 ORGANIC AGRICULTURE. IT IS BUILT ON A FOUNDATION OF TRUST,
14 SOCIAL NETWORK AND KNOWLEDGE EXCHANGE. IT IS USED TO
15 CERTIFY PRODUCERS AND FARMERS AS ACTUAL AND ACTIVE
16 PRACTITIONERS OF ORGANIC AGRICULTURE.

17
18 (T) *PGS GROUP* REFERS TO A LEGAL ASSOCIATION OR COOPERATIVE
19 OF REGISTERED FARMER MEMBERS AND OTHER STAKEHOLDERS IN A
20 PARTICIPATORY GUARANTEE SYSTEM.

21
22 (U) *CORE PGS GROUP* REFERS TO THE BASIC GROUPING UNIT IN THE
23 PGS. IT IS FURTHER DEFINED IN SEC. 8, PAR. D1 OF THIS ACT.

24
25 (V) *PARTICIPATORY ORGANIC CERTIFICATE* REFERS TO A
26 DOCUMENTARY PROOF THAT A CORE PGS GROUP IS COMPLIANT WITH
27 THE REQUIREMENTS, STANDARDS AND NORMS OF ORGANIC
28 FARMING/AGRICULTURE. IT SHALL BE ISSUED BY A GOVERNMENT
29 AGENCY OR BY AN AUTHORIZED ORGANIC CERTIFYING BODY, AFTER
30 THE CONDUCT OF AN INVESTIGATION AND CERTIFICATION ACTIVITY
31 ON THE APPLICATION FOR CERTIFICATION BY THE CORE PGS GROUP.
32 IT SHALL CONTAIN A PERIOD FOR ITS VALIDITY, AS SET BY THE BAFS.

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(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:

XXX

(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

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(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:

XXX

~~[(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

1 LOCAL GOVERNMENT UNITS (LGUS) ACTUALLY ENGAGED IN
2 ORGANIC AGRICULTURE.

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4 XXX

5 The representatives of small farmers and NGOs, and of
6 agricultural colleges and universities, shall be chosen by the Secretaries
7 of Agriculture and Science and Technology, respectively, from among
8 nominees submitted to the agency concerned by their respective
9 national organizations. These representatives must REPRESENT THEIR
10 RESPECTIVE ORGANIZATIONS AT LEAST FROM THE PROVINCIAL
11 LEVEL, ACTUALLY AND ACTIVELY PRACTICING, PROMOTING ORGANIC
12 AND OTHER SUSTAINABLE AGRICULTURE PRACTICES, be conversant in
13 organic agriculture and committed to the policies and programs provided
14 under this Act. THE THREE SEATS GIVEN TO SMALL FARMERS SHALL
15 BE CHOSEN FROM THE CROPS AND LIVESTOCK SECTORS, WHICH WILL
16 HAVE TWO (2) SEATS AND ONE (1) SEAT RESPECTIVELY.

17
18 XXX"

19
20 **SEC. 5.** Section 8 is hereby amended, to read as follows:

21
22 "SEC. 8. *Organization of the NOAB.* –

23
24 XXX

25
26 The Chairperson shall call the members of the NOAB, or a majority
27 thereof if not all have been designated, to a meeting to organize
28 themselves and prescribe its rules and procedures for the attainment of
29 the objectives of this Act. A majority of all the members of the NOAB
30 shall constitute a quorum. THE MEMBERS OF THE NOAB SHALL MEET
31 AT LEAST ONCE EVERY QUARTER AFTER ITS CONSTITUTION.

1 XXX”
2

3 **SEC. 6.** Section 10 of Republic Act No. 10068 is hereby repealed and a
4 new Section 10 is hereby inserted, to read as follows:
5

6 “SEC. 10. *BUREAU OF AGRICULTURE AND FISHERIES*
7 *STANDARDS (BAFS)*. – THE BAFS OF THE DEPARTMENT OF
8 AGRICULTURE (DA) SHALL STRENGTHEN AND EMPOWER THE
9 ESTABLISHED FUNCTIONAL DIVISION FOR ORGANIC AGRICULTURE
10 TO PERFORM AS THE TECHNICAL AND ADMINISTRATIVE SECRETARIAT
11 OF THE NATIONAL ORGANIC AGRICULTURE BOARD (NOAB). THE
12 BAFS, IN ADDITION TO ITS EXISTING FUNCTIONS AND
13 RESPONSIBILITIES, SHALL PERFORM THE FOLLOWING FUNCTIONS,
14 DUTIES AND RESPONSIBILITIES FOR PURPOSES OF THIS ACT:
15

- 16 1. UPDATE THE NOAB ON THE STATUS OF THE PROGRAMS, PROJECTS
17 AND ACTIVITIES UNDERTAKEN FOR THE DEVELOPMENT AND
18 PROMOTION OF ORGANIC AGRICULTURE;
- 19 2. FORMULATE AND UPDATE STANDARDS RELEVANT TO ORGANIC
20 AGRICULTURE;
- 21 3. ISSUE CERTIFICATION TO PGS CORE GROUPS;
- 22 4. ISSUE ACCREDITATION TO ORGANIC CERTIFYING BODIES (OCBS);
- 23 5. ISSUE REGISTRATION OF ORGANIC INPUTS SUCH AS ORGANIC SOIL
24 AMENDMENTS AND ORGANIC BIO-CONTROL AGENTS;
- 25 6. RULE ON THE APPEAL OF FARM/FARMOWNER/CORE PGS GROUPS
26 ON DECISIONS MADE BY MUNICIPAL/CITY PGS GROUPS ON
27 INVESTIGATION AND CERTIFICATION ISSUES; AND
- 28 7. PERFORM SUCH OTHER FUNCTIONS, DUTIES AND
29 RESPONSIBILITIES AS MAY BE NECESSARY TO IMPLEMENT THIS
30 ACT.”
31
32

1 **SEC. 7.** Section 11 of Republic Act No. 10068 is hereby repealed and a
2 new Section 11 is hereby inserted, to read as follows:

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4 "SEC 11. *NATIONAL ORGANIC AGRICULTURE PROGRAM -*
5 *NATIONAL PROGRAM COORDINATING OFFICE (NOAP-NPCO) OF THE*
6 *DA. - TO MANAGE THE EFFECTIVE IMPLEMENTATION OF THE*
7 *NATIONAL ORGANIC AGRICULTURE PROGRAM, THE DA OFFICE OF THE*
8 *SECRETARY SHALL BE STRENGTHENED AND EMPOWERED IN TERMS*
9 *OF ESTABLISHING A FUNCTIONAL OFFICE TO SERVE AS THE*
10 *NATIONAL PROGRAM COORDINATING OFFICE OF THE NATIONAL*
11 *ORGANIC AGRICULTURE PROGRAM."*

12
13
14 **SEC. 8.** A new provision is hereby inserted after Section 11 of Republic
15 Act No. 10068, to read as follows:

16
17 "SEC. 12. *PARTICIPATORY GUARANTEE SYSTEMS (PGS).*-

18
19 A. *BASIC PRINCIPLES.* THE PGS SHALL BE THE MECHANISM BY WHICH
20 SMALL FARMERS/FISHERFOLK, THEIR
21 FARMS/ASSOCIATIONS/COOPERATIVES AND THEIR PRODUCTS
22 SHALL BE CERTIFIED AS ENGAGED IN ORGANIC AGRICULTURE AND
23 AS PRODUCERS OF ORGANIC AGRICULTURE PRODUCTS. THE
24 PARTICIPATORY ORGANIC CERTIFICATION FROM ORGANIC
25 CERTIFYING BODIES, ORGANIZED IN ACCORDANCE WITH THIS
26 ACT, SHALL BE PROMOTED AND ACCEPTED. THE PRODUCTS
27 CERTIFIED BY THESE GROUPS SHALL BE TRADED ONLY IN THE
28 DOMESTIC MARKET.

29
30 AN ASSOCIATION OR GROUP UNDER THE PGS SHALL ADHERE
31 TO THE PHILIPPINE NATIONAL STANDARDS (PNS) FOR ORGANIC
32 AGRICULTURE.

33

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

- 3
- 4 i. EXISTENCE OF ORGANIC AGRICULTURE NORMS CONCEIVED
5 BY THE ORGANIC AGRICULTURE STAKEHOLDERS; NORMS
6 THAT ARE APPROPRIATE TO SMALLHOLDER AGRICULTURE;
 - 7 ii. GRASSROOTS ORGANIZATION: THE PARTICIPATORY
8 CERTIFICATION SHOULD BE PERCEIVED AS A RESULT OF A
9 SOCIAL DYNAMIC, BASED ON THE ACTIVE PARTICIPATION
10 OF ALL STAKEHOLDERS;
 - 11 iii. EXISTENCE OF PRINCIPLES AND VALUES THAT ENHANCE
12 THE LIVELIHOODS AND WELL-BEING OF FARMING FAMILIES
13 AND PROMOTE ORGANIC AGRICULTURE;
 - 14 iv. DOCUMENTED MANAGEMENT SYSTEMS AND PROCEDURES;
 - 15 v. PROVISION OF MECHANISMS TO VERIFY FARMER'S
16 COMPLIANCE TO ESTABLISHED NORMS;
 - 17 vi. PROVISION OF MECHANISMS FOR SUPPORTING FARMERS
18 TO PRODUCE ORGANIC PRODUCTS AND BE CERTIFIED AS
19 ORGANIC FARMERS, WHICH SHALL INCLUDE FIELD
20 ADVISORS, NEWSLETTERS, FARM VISITS, WEB SITES,
21 AMONG OTHERS;
 - 22 vii. EXISTENCE OF A BOTTOM-LINE DOCUMENT, SUCH AS A
23 FARMER'S PLEDGE, THAT SHALL STATE HIS/HER
24 AGREEMENT TO THE ESTABLISHED NORMS;
 - 25 viii. INTRODUCTION OR USE OF SEALS OR LABELS PROVIDING
26 EVIDENCE OF ORGANIC STATUS; AND
 - 27 ix. EXISTENCE OF A CLEAR AND PREVIOUSLY DEFINED SET OF
28 RECOMMENDATIONS AND MEASURES AGAINST FARMERS
29 WHO FAIL TO COMPLY WITH STANDARDS.

30
31 B. *LEGAL PERSONALITY.* THE CORE PGS GROUP SHALL BE
32 REGISTERED WITH THE MUNICIPALITY/CITY UNDER WHICH IT

1 EXISTS. IT SHALL SECURE A MAYOR'S PERMIT FROM SAID
2 MUNICIPALITY/CITY, POSSESSION OF WHICH SHALL SUFFICE AS
3 PROOF OF REGISTRATION AND THE GRANT OF LEGAL
4 PERSONALITY FOR WHATEVER TRANSACTION IT MAY ENTER INTO
5 IN THE PGS.

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

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

17
18 C. *CERTIFICATION.* THE BAFS SHALL PROVIDE THE GUIDELINES FOR
19 THE CERTIFICATION OF FARMS, PURSUANT TO THE PROVISIONS
20 OF THIS ACT. A FARM/FARMOWNER WANTING FOR
21 CERTIFICATION AS AN ORGANIC AGRICULTURE PRACTITIONER
22 SHALL APPLY FOR SAID CERTIFICATION WITH A CORE PGS GROUP
23 THE FARM/FARMOWNER CHOOSES TO BE A MEMBER OF, OR WITH
24 AN ACCREDITED ORGANIC CERTIFYING BODY IN THE SAME
25 MUNICIPALITY/CITY. THE DECISION OF THE CORE PGS GROUP OR
26 OF THE ORGANIC CERTIFYING BODY ON SAID APPLICATION FOR
27 CERTIFICATION SHALL BE SUBJECT TO APPEAL: PROVIDED, THAT
28 SUCH CERTIFICATION SHALL BE ISSUED IN THE NAME OF THE
29 CORE PGS GROUP OF WHICH THE FARM/FARMOWNER IS A MEMBER
30 AND WITHDRAWAL OF MEMBERSHIP IN SAID CORE PGS GROUP
31 SHALL MEAN FORFEITURE OF THE PRIVILEGE FOR THE
32 FARM/FARMOWNER TO USE THE CORE PGS GROUP CERTIFICATE.

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2 D. *ACCREDITATION*. THE BAFS SHALL PROVIDE THE GUIDELINES FOR
3 ACCREDITATION. A REGISTERED CORE PGS GROUP SHALL APPLY
4 FOR ACCREDITATION WITH THE BAFS. A CORE PGS GROUP SHALL
5 BE ACCORDED ACCREDITATION BY THE BAFS ONLY IF IT HAS AT
6 LEAST FIVE (5) MEMBERS, COMING FROM DIFFERENT FARMS IN
7 THE MUNICIPALITY/CITY ACTUALLY PRACTICING ORGANIC
8 AGRICULTURE.

9
10 THE BAFS SHALL ISSUE ITS DECISION ON THE APPLICATION
11 FOR ACCREDITATION BY A CORE PGS GROUP OR ANY QUALIFIED
12 ENTITY APPLYING FOR RECOGNITION WITHIN FIFTEEN WORKING
13 (15) DAYS FROM THE SUBMISSION OF THE COMPLETE
14 REQUIREMENTS FOR APPLICATION FOR RECOGNITION, AND
15 FAILURE TO RENDER DECISION WITHIN SUCH PERIOD SHALL BE
16 UNDERSTOOD AS AN APPROVAL OF THE APPLICATION FOR
17 RECOGNITION OF THE PGS/OCB. THE BAFS SHALL NOT CHARGE
18 ANY RECOGNITION OR APPLICATION FEES.

19
20 D. *ORGANIZATIONAL LEVELS*.

21
22 1. *THE CORE PGS GROUP*. EVERY PGS GROUP SHOULD HAVE AT LEAST
23 FIVE (5) MEMBERS, COMPOSED OF FARMERS FROM A COMBINATION
24 OF BOTH THE CROPS AND LIVESTOCK SECTORS. IT MAY ADD TO ITS
25 MEMBERSHIP FARMERS FROM OTHER SECTORS IN AGRICULTURE,
26 NON-GOVERNMENT ORGANIZATIONS, PEOPLE'S ORGANIZATIONS,
27 BUYERS OF ORGANIC AGRICULTURE PRODUCTS, SUPPLIERS OF
28 ORGANIC INPUTS, AMONG OTHERS, WHO ALL LIVE IN THE SAME
29 MUNICIPALITY OR CITY AND REGULARLY INTERACT WITH EACH
30 OTHER.

31
32 EACH CORE PGS GROUP WILL HAVE THE FOLLOWING DUTIES

1 AND RESPONSIBILITIES:
2

- 3 i. DEVELOP AN UNDERSTANDING OF THE ORGANIC
4 STANDARDS;
- 5 ii. MAKE SURE FARM PRACTICES ARE COMPLIANT;
- 6 iii. MAKE A PLEDGE THAT THEY UNDERSTAND AND ADHERE
7 TO THE ORGANIC STANDARDS;
- 8 iv. CONDUCT INSPECTION AND CERTIFICATION ACTIVITIES
9 OF MEMBER FARMS IN THE MUNICIPALITY/CITY. AT
10 LEAST A MAJORITY OF THE MEMBERS OF THE PGS CORE
11 GROUP WHO JOINED IN THE ACTUAL INSPECTION AND
12 CERTIFICATION ACTIVITY SHOULD SIGN ON THE
13 TRUTHFULNESS OF THE FINDINGS OF THE INSPECTION
14 AND CERTIFICATION ACTIVITY;
- 15 v. RECOMMEND WHICH FARMS WILL BE CERTIFIED;
- 16 vi. INITIATE KEY FIELD TRAININGS FOR FARMER-MEMBERS
17 AND RESIDENTS IN THEIR LOCALITY TO PROMOTE
18 ORGANIC AGRICULTURE;
- 19 vii. ATTEND MUNICIPAL/PROVINCIAL PGS MEETINGS AND
20 SHARE INFORMATION;
- 21 viii. TAKE ACTIONS ON DEFAULTS/NON-COMPLIANCE AS PER
22 SANCTION GUIDELINES TO BE PROVIDED BY THE BAFPS,
23 ORGANIC CERTIFYING BODIES AND MUNICIPAL/CITY
24 PGS GROUPS; AND
- 25 ix. ASSIST DEFAULTING AND NON-COMPLIANT MEMBERS TO
26 REGAIN CERTIFICATION STATUS.

27
28 2. *MUNICIPAL/CITY PGS GROUP.* THE MUNICIPAL/CITY PGS GROUP
29 SHALL BE COMPOSED OF THE FOLLOWING: 1) ONE (1)
30 REPRESENTATIVE FOR EACH CORE PGS GROUP IN THE
31 MUNICIPALITY/CITY, AND 2) ONE (1) REPRESENTATIVE FROM A
32 REGIONAL AGRICULTURAL STATE UNIVERSITY OR COLLEGE (SUC) OR

1 LOCAL PRIVATE AGRICULTURAL EDUCATIONAL INSTITUTION:
2 PROVIDED THAT, THERE SHOULD BE AT LEAST TWO (2) CORE PGS
3 GROUPS IN THE MUNICIPALITY/CITY BEFORE A MUNICIPAL/CITY PGS
4 GROUP SHALL BE ESTABLISHED.

5
6 THE MUNICIPAL/CITY PGS GROUP SHALL CONDUCT ITS
7 BUSINESS AND AFFAIRS BASED ON MAJORITY DECISION OF MEMBERS
8 PRESENT, AFTER HAVING SECURED A QUORUM.

9
10 THE MUNICIPAL/CITY PGS GROUP SHALL HAVE THE
11 FOLLOWING POWERS, DUTIES AND RESPONSIBILITIES:

- 12
13 i. TOGETHER WITH THE BAFS, DEVELOP OR UPDATE AND
14 IMPLEMENT THE PARTICIPATORY GUARANTEE SYSTEM,
15 AS PROVIDED IN THIS ACT;
- 16 ii. ENSURE THAT COMPLIANT FARMER MEMBERS CONTINUE
17 TO COMPLY WITH ALL REQUIREMENTS OF THE
18 APPLICABLE PHILIPPINE NATIONAL STANDARDS (PNS)
19 ON ORGANIC AGRICULTURE AND RELEVANT
20 REGULATORY REQUIREMENTS;
- 21 iii. HEAR AND DECIDE ON APPEALS OF THE FARMER
22 MEMBERS ON THE FINDINGS OF THE INVESTIGATION
23 AND CERTIFICATION OF ORGANIC CERTIFYING BODIES.
24 AN ADVERSE DECISION OF THE MUNICIPAL/CITY PGS
25 GROUP MAY BE BROUGHT TO THE BAFS ON APPEAL. THE
26 BAFS HAS THIRTY (30) DAYS FROM FILING TO RULE ON
27 THE APPEAL, AND FAILURE TO RULE SHALL MEAN
28 REVERSAL OF THE APPEALED DECISION.
29 THE INACTION OR INDECISION OF THE MUNICIPAL/CITY
30 PGS GROUP ON AN APPEAL FROM THE DECISION OF THE
31 ORGANIC CERTIFYING BODY, AFTER FIFTEEN (15) DAYS
32 FROM THE FILING OF THE APPEAL, SHALL BE

1 CONSIDERED THE UPHOLDING OF THE APPEALED
2 DECISION. THE FARMER COMPLAINANT MAY THEN HAVE
3 THE OPTION TO FILE AN APPEAL WITH THE BAFS, AND
4 THE LATTER HAS THE SAME PERIOD AND PROCEDURE
5 MENTIONED IN THE PRECEDING PARAGRAPH TO ACT
6 UPON THE APPEAL;

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

11 v. TOGETHER WITH THE ORGANIC CERTIFYING BODY
12 INVOLVED IN THE INSPECTION AND CERTIFICATION
13 ACTIVITY, AND IN COORDINATION WITH THE BAFS,
14 ISSUE PARTICIPATORY ORGANIC CERTIFICATE AND THE
15 "PGS GUARANTEED ORGANIC" LABEL/MARK TO
16 COMPLIANT SMALL FARMER/FISHERFOLK AND/OR THEIR
17 FARM/ASSOCIATION/COOPERATIVE; AND

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

21
22 IN THE MEANTIME THAT A CORE PGS GROUP OR A
23 MUNICIPAL/CITY PGS, WHICHEVER IS THE CASE, HAS YET TO BE
24 ESTABLISHED, THE BAFS, IN COORDINATION WITH THE LOCAL
25 GOVERNMENT UNIT CONCERNED, SHALL ASSUME THE POWERS,
26 DUTIES AND RESPONSIBILITIES OF THESE GROUPS.

27
28 2. *PROVINCIAL AND NATIONAL PGS GROUP.* IT SHALL BE THE OPTION
29 OF THE PGS GROUPS TO FORM THEIR AGGRUPATION AT THE
30 PROVINCIAL AND NATIONAL LEVELS. THEY SHALL RECEIVE THE
31 FINANCIAL AND TECHNICAL ASSISTANCE, SUPPORT AND GUIDANCE
32 OF THE DEPARTMENTS IN THE NOAB AND THE DA-BAFS IN THIS

1 REGARD.

2 THE PROVINCIAL GOVERNMENT IS ALSO HEREBY ENJOINED TO
3 ENCOURAGE AND SUPPORT THE FORMATION AND ACTIVITIES OF PGS
4 GROUPS, PURSUANT TO THE DEPARTMENT OF THE INTERIOR AND
5 LOCAL GOVERNMENT (DILG) MEMORANDUM CIRCULAR NO. 2019-70.
6

7 D. *PROMOTION*. THE NOAB SHALL ACTIVELY PROMOTE AND SEARCH
8 FOR ASSOCIATIONS OR GROUPS THAT HAVE BEEN PRACTICING
9 ORGANIC AGRICULTURE FOR RECOGNITION AS PGS COMPLIANT IN
10 ACCORDANCE WITH THIS ACT. THE NOAP SHALL ENSURE THAT EACH
11 PROVINCE IN THE COUNTRY HAS A PGS. EVERY PGS SHALL CONDUCT
12 TRAININGS AND PROMOTE ORGANIC AGRICULTURE.
13

14 E. *TRAINING AND INSPECTION*. THE AGRICULTURE TRAINING
15 INSTITUTE (ATI) SHALL CONDUCT TRAININGS FOR PGS GROUPS AND
16 THE BAFS SHALL CONDUCT RANDOM INSPECTIONS TO ENSURE THAT
17 PGS GROUPS ARE ALL COMPLIANT WITH THE PHILIPPINE NATIONAL
18 STANDARDS ON ORGANIC AGRICULTURE. THE BAFS SHALL KEEP A
19 RECORD OF COMPLIANT PGS GROUPS IN THE COUNTRY AND SHALL
20 PUBLISH A LIST OF SUCH COMPLIANCE AT LEAST ONCE A YEAR.
21

22 F. *INCENTIVES*. ANY SMALL FARMER/FISHERFOLK OR THEIR
23 FARMS/ASSOCIATIONS/COOPERATIVES ENGAGED IN ORGANIC
24 AGRICULTURE OR ANY ORGANIC INPUT PRODUCER, CERTIFIED BY A
25 RECOGNIZED PGS GROUP OR ORGANIC CERTIFYING BODY TO BE
26 COMPLIANT FOR A PERIOD OF 5 YEARS, WITHOUT ANY OFFENSE OR
27 INFRACTION, SHALL BE ELIGIBLE FOR A FULL GOVERNMENT SUBSIDY
28 OF THE COST FOR AN INTERNATIONAL CERTIFICATION
29 ACCREDITATION. FURTHER, SO LONG AS THE SAME ENTITIES
30 MAINTAIN THEIR STATUS OF COMPLIANCE, THEY SHALL BE INVITED
31 AND GIVEN, FOR FREE, PRIME LOCATION IN ANY GOVERNMENT
32 AGENCY-INITIATED OR SPONSORED TRADE AND BUSINESS

1 MARKETING GATHERING OF FILIPINO PRODUCTS, FOR THE PURPOSE
2 OF DISPLAYING AND SELLING THEIR OWN ORGANIC PRODUCTS.

3
4 **SEC. 9.** Sections 12 and 13 of Republic Act No. 10068 are hereby
5 renumbered accordingly.

6
7 **SEC. 10.** Section 14 of Republic Act No. 10068 is hereby amended and
8 renumbered, to read as follows:

9
10 "SEC.15. *Local Executive [Committees]* CONCERNS. - Every
11 provincial governor shall, insofar as practicable XXX

12
13 XXX

14 XXX

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

18 XXX

19
20
21 **SEC. 11.** Section 16 of Republic Act No. 10068 is hereby repealed and
22 a new section is inserted, to read as follows:

23
24 "SEC. 17. *REGISTRATION OF ORGANIC PRODUCE AND INPUTS*
25 *AND ORGANIC PROCESSED FOOD.*- THE BAFS OF THE DA SHALL BE
26 RESPONSIBLE FOR THE REGISTRATION OF ORGANIC INPUTS SUCH AS
27 ORGANIC SOIL AMENDMENTS AND ORGANIC BIO-CONTROL AGENTS.
28 THE BUREAU OF PLANT INDUSTRY (BPI) OF THE DA SHALL BE
29 RESPONSIBLE FOR THE REGISTRATION OF ORGANIC SEEDS,
30 PLANTING MATERIALS, AND CROPS.

31 FURTHER, THE BUREAU OF ANIMAL INDUSTRY (BAI) OF THE DA
32 SHALL BE RESPONSIBLE FOR THE REGISTRATION OF ORGANIC BEES,

1 LIVESTOCK AND POULTRY AND ITS FEEDS. THE BUREAU OF FISHERIES
2 AND AQUATIC RESOURCES (BFAR) OF THE DA SHALL BE RESPONSIBLE
3 FOR THE REGISTRATION OF ORGANIC FISHERIES AND AQUACULTURE
4 RESOURCES AND ORGANIC AQUACULTURE FEEDS.

5
6 THE BAFS, BPI, BAI, AND BFAR OF THE DA SHALL COME UP
7 WITH A SINGLE UNIFIED SET OF RULES AND REGULATIONS FOR THE
8 REGISTRATION OF ORGANIC PRODUCE AND INPUTS.

9
10 THE FOOD AND DRUG ADMINISTRATION (FDA) OF THE DOH
11 SHALL BE RESPONSIBLE FOR THE PRODUCT REGISTRATION OF
12 ORGANIC PROCESSED FOOD. IT SHALL FORMULATE ITS RULES AND
13 REGULATIONS FOR THE REGISTRATION OF ORGANIC PRE-PACKAGED
14 AND PROCESSED FOOD.”

15
16 **SEC. 12.** Section 17 of Republic Act No. 10068 is hereby amended and
17 renumbered, to read as follows:

18
19 “SEC. [17] 18. Labeling of Organic Produce. - The label of organic
20 produce shall contain the name, logo or seal of the organic certifying
21 body and the accreditation number issued by the BAFPS. [~~Only third
22 party certification is allowed to be labeled as organically produced.~~] THE
23 ORGANIC LABEL/MARK SHALL ALSO INCLUDE THE TRADE NAME, AS
24 DEFINED BY PERTINENT DOMESTIC PROPERTY RIGHTS LAWS, AND
25 THE ADDRESS OF ORIGIN OF THE PRODUCE.

26
27 PRODUCTS WHICH ARE CERTIFIED AND GUARANTEED BY
28 THIRD-PARTY ORGANIC PRODUCTION SYSTEMS, INCLUDING THOSE
29 WITH CERTIFICATION FROM THE PGS, SHALL BE ALLOWED TO BE
30 LABELLED AND SOLD AS ORGANIC.”

1 **SEC. 13.** Section 18 of Republic Act No. 10068 is hereby renumbered
2 accordingly.

3

4 **SEC. 14.** Section 19 of Republic Act No. 10068 is hereby repealed and
5 a new section is inserted, to read as follows:

6

7 "SEC. 20. *MARKET DEVELOPMENT AND TRADE PROMOTION.*-

8

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

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

25

26

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

29

30 **SEC. 16.** Section 26 is hereby amended and renumbered, to read as
31 follows:

32

1 "SEC. [26] 27. Penal Provisions AND OTHER PENALTIES. – Any
2 person who willfully and deliberately:

3
4 XXX

5
6 (c) mislabels or claims that the product is organic when it is not in
7 accordance with the existing standards for Philippine organic agriculture
8 or this Act shall, upon conviction, be punished by imprisonment of not
9 less than one (1) month nor more than six (6) months, or a fine of not
10 more than Fifty thousand pesos (P50,000.00), or both, at the discretion
11 of the court. If the offender is a corporation or a juridical entity, the
12 official who ordered or allowed the commission of the offense shall be
13 punished with the same penalty. If the offender is in the government
14 service, he shall, in addition, be dismissed from office: *PROVIDED, THAT*
15 *ANY PGS GROUP/ORGANIC CERTIFYING BODY FOUND TO HAVE*
16 *ISSUED A CERTIFICATION TO A FARM OR PRODUCER ESTABLISHED*
17 *TO BE NOT COMPLIANT WITH ANY OF THE PHILIPPINE NATIONAL*
18 *STANDARDS ON ORGANIC AGRICULTURE OR WITH THE PROVISIONS*
19 *OF THIS ACT, SHALL BE PENALIZED BY THE BAFS AS FOLLOWS:*

- 20
21 1. FIRST OFFENSE. WRITTEN WARNING.
22 2. SECOND OFFENSE. SUSPENSION OF ACCREDITATION."

23
24 **SEC. 17.** Sections 27 to 32 are hereby renumbered accordingly.

25
26 **SEC. 18.** *Implementing Rules and Regulations (IRR).* – The NOAB shall
27 adopt rules and regulations to implement the provisions of this Act within ninety
28 (90) days from the effectivity of this Act and submit the same to the COCAF
29 for review and approval. In the drafting of the IRR, the Department of Finance
30 shall be consulted in connection with the tax incentives provided under Section
31 24 of Republic Act No. 10068.

1 **SEC. 19. *Separability Clause.*** If any provision of this Act is declared
2 invalid or unconstitutional, the other provisions not affected thereby shall
3 remain in full force and effect.

4
5 **SEC. 20. *Repealing Clause.*** - All laws, presidential decrees, executive
6 orders, presidential proclamations, rules and regulations or parts thereof
7 contrary to or inconsistent with this Act are hereby repealed or modified
8 accordingly.

9
10 **SEC. 21. *Effectivity.*** - This Act shall take effect fifteen (15) days
11 following its publication in at least two (2) newspapers of general circulation or
12 in the Official Gazette.

13
14 *Approved,*

15