

JAC

Introduced by Senator **FRANCIS "TOL" N. TOLENTINO**

RESOLUTION

DIRECTING THE SENATE COMMITTEES ON AGRICULTURE, FOOD AND AGRARIAN REFORM, WAYS AND MEANS, AND TRADE, AND COMMERCE AND ENTREPRENEURSHIP TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, ON THE UNABATED SMUGGLING OF STRAWBERRIES INTO THE COUNTRY TO THE DETRIMENT OF LOCAL FARMERS

1 **WHEREAS**, Section 1, Article XII of the 1987 Constitution underscores the
2 policy of the State "to protect Filipino enterprises against unfair foreign competition
3 and trade practices.";

4 **WHEREAS**, smuggling and other acts contrary to customs laws pose a serious
5 and direct threat to the national economy by depriving the government of much-
6 needed revenues and unfairly competing with legitimate businesses;

7 **WHEREAS**, smuggling distorts market prices and affects trading of goods at a
8 great cost to legitimate businesses, particularly micro, small and medium-scale
9 enterprises in the country. Smuggling negatively affects not only the livelihood of
10 Filipino producers, manufacturers, and retailers but also Filipino workers who depend
11 on local industries for employment;

12 **WHEREAS**, smuggling breeds corruption, allows entry into the country of sub-
13 standard goods and products that may be harmful to Filipino consumers, and
14 undermines the capacity of government to provide adequate protection for its citizens;

15 **WHEREAS**, it has been reported widely in the media that strawberries from
16 South Korea are flooding wet markets and are also being sold in high-end markets
17 and malls in the country. Moreover, it has also been reported that some of the high-
18 end markets and pop-up stores in Cebu have stopped ordering from Benguet
19 strawberry farmers;¹

¹ <https://www.philstar.com/nation/2021/12/21/2149165/benguet-farmers-hit-influx-korean-strawberries-cebu>

1 **WHEREAS**, it has also been reported that the Bureau of Plant Industry (BPI)
2 issued a permit to an importer, on 20 November 2021 and valid until 20 November
3 2024, a permit to import ornamental plants;²

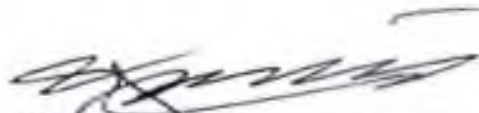
4 **WHEREAS**, the said importer has reportedly been importing strawberries,³
5 instead of ornamental plants, in violation of the permit from the BPI, which acts could
6 constitute as violations of Sections 1401, in relation to 1400, and other provisions
7 applicable in RA 10863 and Art. 172 in relation to Article 171 of the Revised Penal
8 Code (RPC), as amended;

9 **WHEREAS**, strawberries are not among the goods allowed into the Philippines
10 in the Korea-Philippine Trade Agreement under the General Agreement on Tariffs and
11 Trade - World Trade Organization (GATT-WTO);

12 **WHEREAS**, there is a need to revoke the permit of the strawberry importer
13 who misdeclared imports and smuggled strawberries in the Philippines and institute
14 measures and mechanisms to prevent smuggling, especially of agricultural products,
15 and protect the interests of our farmers;

16 **NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, to
17 direct the Committees on Agriculture, Food and Agrarian Reform, Ways and Means,
18 and Trade, Commerce and Entrepreneurship to conduct an investigation, in aid of
19 legislation, on the prevalence of smuggling of agricultural products into the country
20 and its adverse impacts on Filipino farmers, stakeholders, and the Philippine economy,
21 and ultimately identify the necessary measures to finally remove this major hindrance
22 to national development.

23 *Adopted,*


FRANCIS "TOL" N. TOLENTINO

² <https://newsinfo.inquirer.net/1530626/benguet-farmers-want-permits-for-korean-strawberries-recalled>

³ <https://www.philstar.com/nation/2021/12/20/2149121/benguet-farmers-alarmed-misdeclared-strawberries-south-korea>