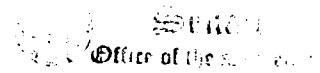


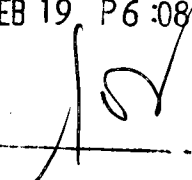
NINETEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



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SENATE

Senate Bill No. 2558

RECEIVED BY: 

(In substitution of Senate Bill Nos. 119, 792, 972 and 999)

Prepared by the Committees on Agriculture, Food and Agrarian Reform; Finance; Ways and Means with Senators Cynthia A. Villar, Jinggoy E. Estrada, Manuel "Lito" M. Lapid, and Sonny Angara as authors thereof.

**AN ACT
STRENGTHENING LIVESTOCK, POULTRY, AND DAIRY INDUSTRY
DEVELOPMENT AND COMPETITIVENESS, RATIONALIZING THE
ORGANIZATION AND FUNCTIONS OF RELEVANT GOVERNMENT
AGENCIES, AND CREATING A COMPETITIVENESS ENHANCEMENT FUND
THEREFOR**

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

TITLE I

PRELIMINARY PROVISIONS

1
2
3 SECTION 1. **Short Title.** – This Act shall be known as the "Livestock, Poultry,
4 and Dairy (LPD) Industry Development and Competitiveness Act".

5 SEC. 2. **Declaration of Policies.** – It is hereby the declared policy of the State
6 to advance the development and competitiveness of the livestock, poultry, and dairy
7 (LPD) industries, particularly the small-holder farmers, consistent with the
8 constitutional mandate to promote the equitable distribution of opportunities, income,
9 and wealth; a sustained increase in the number of goods and services produced by
10 the nation for the benefit of the people; expanding productivity as the key to raising
11 the quality of life for all; industrialization and full employment based on sound
12 agricultural development.

1 Towards this end, the State shall strengthen existing government
2 organizational structures serving these industries and establish responsive
3 government policies and programs that aim to foster the comprehensive development
4 of the LPD industries' value chain, raise the cost-effectiveness of regulations on animal
5 disease prevention and control; and ensure enforcement of food safety and quality
6 standards on produce and processed products with least disruption on trade and their
7 value chains.

8 The State shall be committed to providing necessary support and incentives to
9 build stronger partnerships and cooperation with the private sector in recognition of
10 their vital role in achieving the objectives of this Act.

11 **SEC. 3. *Definition of Terms.*** – As used in this Act:

- 12 a) *Corn* refers to yellow corn, white corn, and other corn varieties which shall
13 be utilized as animal feed in the country;
- 14 b) *Feeds* refers to animal food for livestock, poultry and dairy producing
15 animals which includes, but not limited to, yellow and other corn varieties,
16 forages, and feed wheats;
- 17 c) *First Border Inspection Facility (FBIF)* refers to a facility under the
18 jurisdiction of the Department of Agriculture (DA) wherein examiners and
19 inspectors from the Bureau of Animal and Poultry Inspection and
20 Regulation (BAPIR), the Bureau of Customs (BOC), and other essential
21 agencies conduct inspection to check the quality and quantity of all
22 arriving imports of livestock, poultry, and dairy animals, animal products,
23 by-products, and veterinary drugs and products, based on the submitted
24 documents or permits of the importer;
- 25 d) *Fresh Milk* refers to milk produced by local dairy farms. It is a product of
26 normal mammary secretion obtained by the complete milking of one or
27 more healthy cows/goats/water buffaloes, free from colostrum, without
28 either addition to it, or extraction from it, has undergone heat processing,
29 intended for consumption as liquid milk or further processing. The words
30 "fresh milk" shall be attached to a product only if it was produced and
31 obtained in accordance with this definition;

- 1 e) *Livestock* refers to any domestic or domesticated animal that is grown,
2 kept or raised in captivity for food or in the production of food or other
3 by-products, and for other purposes, which includes all domestic animals
4 that are slaughtered for human consumption, maintained for draft animal
5 power, dairy, and for recreational purposes such as, but not limited to,
6 cattle, carabaos or water buffaloes, horses, sheep, goats, hogs, deer, and
7 rabbits except products of hunting or fishing of wild animals;
- 8 f) *Native Animals* refer to domesticated animals that contribute to food
9 production found in one geographical location that have developed unique
10 physical characteristics, behavior, and product attributes, adapted to the
11 local environment and are products of selection with no infusion of exotic
12 breeds including, but not limited to, native chicken, goats, pigs, ducks,
13 cattle, horses, carabaos or water buffaloes;
- 14 g) *Poultry* refers to birds raised commercially or domestically for meat, eggs
15 and feathers such as, but not limited to, chickens, ducks, turkey, geese,
16 quails, and ostrich. It is a collective term which refers to all domesticated
17 avian reared in captivity mainly for agricultural purposes or for the
18 production of food or other by-products;
- 19 h) *Small-hold farm refers to:*
- 20 1) Tending not more than 5 cow/water buffalo level (large ruminants:
21 dairy and beef);
 - 22 2) Tending not more than 35 does (small ruminants: dairy and slaughter);
 - 23 3) Tending 1 to 10 sow level or 1 to 100 heads (swine, including native
24 pig);
 - 25 4) Raising 100 heads and below (rabbit);
 - 26 5) Raising 500 birds and below (broiler);
 - 27 6) Raising 250 birds and below (chicken: native/improved/free range);
 - 28 7) Raising 250 layers and below (layer and duck); and
 - 29 8) Raising 2,500 birds and below (quail).
- 30 i) *Semi-Commercial farm refers to:*
- 31 1) Tending 6 – 50 cow/water buffalo level (large ruminants: dairy and
32 beef);

- 1 2) Tending 36- 100 does (small ruminants: dairy and slaughter);
- 2 3) Tending 11- 50 sow level or 101 to 500 heads (swine, including native
- 3 pig);
- 4 4) Raising 101- 1,000 heads (rabbit);
- 5 5) Raising 501- 10,000 birds (broiler);
- 6 6) Raising 251- 5,000 birds (chicken: native/improved/free range);
- 7 7) Raising 251- 5,000 layers (layer and duck); and
- 8 8) Raising 2,501- 10,000 birds (quail).
- 9 j) *Commercial farm refers to:*
- 10 1) Tending 51 cow/water buffalo level and above (large ruminants:
- 11 dairy and beef);
- 12 2) Tending more than 100 heads of does (small ruminants: dairy and
- 13 slaughter);
- 14 3) Tending 51 sow level and above or 501 heads and above (swine,
- 15 including native pig);
- 16 4) Raising 1,001 heads and above (rabbit);
- 17 5) Raising 10,001 birds and above (broiler);
- 18 6) Raising 5,001 birds and above (chicken: native/improved/free
- 19 range);
- 20 7) Raising 5,001 layers and above (layer and duck); and
- 21 8) Raising 10,001 birds and above (quail).
- 22 k) *Value Chain* refers to the set of actors, activities and services that bring a
- 23 basic agricultural product from production in the field to final
- 24 consumption, where at each stage, value is added to the product;
- 25 l) *Veterinary Drugs and Products* refer to any substance or device, including
- 26 biological products, applied or administered to animals for food production
- 27 and processing (such as for livestock and poultry), for companion, aquatic,
- 28 laboratory, and other exotic animals, whether used for therapeutic,
- 29 prophylactic, or diagnostic purposes or for modification of physiological
- 30 functions or behaviors; and
- 31 m) *Veterinary Drug and Product Establishment* refers to any organization or
- 32 company involved in the manufacture, importation, exportation,

1 eradication of animal pests and diseases by providing veterinary health services
2 and general LPD health support programs;

3 f) *Enterprise Development Program.* – It shall promote the establishment of
4 enterprises across the value chain in LPD to include credit facilities for small-
5 hold raisers, cooperatives, and organizations together with financial literacy
6 programs and “farming as business” training programs with technical support
7 from the ATI and relevant local training institutes. Enterprise development
8 programs shall be in consonance with the Farmers and Fisherfolk Enterprise
9 Development Program under Republic Act No. 11321 or “Sagip Saka Act of
10 2019”;

11 g) *Training and Extension Program.* – In consultation with the ATI, ITCPH, TESDA-
12 Accredited Farm Schools, state universities and colleges (SUCs), local
13 government units (LGUs), national government agencies (NGAs), and other
14 relevant institutions, the Roadmap shall provide support to training extension
15 services for small-hold farmers, cooperatives and organizations on technologies
16 and good practice in the propagation, utilization, marketing, processing and
17 distribution of livestock, poultry, dairy, and native animals;

18 h) *Market Promotion Program.* – It shall support LPD auction markets, trade fairs,
19 export initiatives, and encourage contract growing arrangements between
20 farmers cooperatives or organizations and institutional buyers of LPD produce;

21 i) *Research and Development (R&D) Program.* – It shall strengthen the National
22 Livestock, Poultry, and Dairy (NLPD) Program’s own research capabilities in the
23 areas of a) breeding and genetic improvement, b) reproductive biotechniques,
24 c) nutrition, feeds and feeding system including forage and pasture, d)
25 conservation and improvement of native animals, e) vaccines, biologics and
26 diagnostics development, food quality and safety assurance, f) disease control
27 and anti-microbial resistance management, g) production and management
28 decision support systems, h) product development and processing, i) emerging
29 technologies on breeding techniques, j) zoonosis, k) socio-economic and
30 environmental researches, and l) other related researches to improve LPD
31 production;

1 j) *Food Safety and Quality Assurance Program.* – The National Meat Inspection
2 Service (NMIS), herein converted into the Bureau of Animal and Poultry
3 Inspection and Regulation (BAPIR) in accordance with Section 12 of this Act,
4 and the NDA shall coordinate with the Food and Drugs Administration (FDA) in
5 the enforcement and regulation of food safety and quality standards on LPD
6 produce and by-products. Moreover, consistent with its mandate under RA
7 9296 or “Meat Inspection Code of the Philippines,” the BAPIR shall continue to
8 serve as the sole national controlling authority on all matters pertaining to
9 primary and processed meat and meat product inspection, and hygiene;

10 k) *Livestock, Poultry, and Dairy Production Network Program.* – It shall formulate
11 and implement LPD cluster development programs for small-hold raisers’
12 cooperatives, organizations and/or federations in order to encourage
13 economies of scale, production efficiencies, bargaining power of farmers,
14 mutual support, and maximize the coordination and dissemination of
15 government interventions;

16 l) *Livestock, Poultry, and Dairy Processing Program.* – It shall include programs
17 that will enhance the value-addition and value-adding opportunities in the
18 processing of livestock and poultry meat, and dairy milk; and

19 m) *Dairy Development Program.* – The NDA and the PCC shall institute additional
20 projects and strengthen existing ones towards rapidly increasing herd
21 population and strengthening enterprise development for dairy production and
22 the supply of fresh milk in support of laws instituting milk feeding programs
23 and for the country’s need for fresh milk and fresh milk-based products.

24 The implementation of the Roadmap shall be funded through the Livestock,
25 Poultry, and Dairy Competitiveness Enhancement Fund created under Section
26 23 of this Act.

27 **SEC. 5. *Steering Committee.*** - A Steering Committee shall be created to
28 formulate a ten-year Roadmap to serve as the blueprint for developing LPD industries.
29 It shall be headed by the Secretary of the DA with the following as its members:

- 30 a) Undersecretary for National Livestock, Poultry, and Dairy (NLPD) Program;
31 b) Bureau of Animal Industry (BAI);
32 c) Bureau of Plant Industry (BPI);

- 1 d) National Dairy Authority (NDA);
- 2 e) Philippine Carabao Center (PCC);
- 3 f) Bureau of Animal and Poultry Inspection and Regulation (BAPIR);
- 4 g) DA-National Corn Program;
- 5 h) DA-Agribusiness and Marketing Assistance Service (DA-AMAS);
- 6 i) Bureau of Customs (BOC);
- 7 j) Department of Social Welfare and Development (DSWD);
- 8 k) Department of Education (DepEd);
- 9 l) Food and Drug Administration (FDA);
- 10 m) Land Bank of the Philippines (LBP);
- 11 n) Development Bank of the Philippines (DBP);
- 12 o) Philippine Center for Postharvest Development and Mechanization (PhilMech);
- 13 p) Agriculture Training Institute (ATI);
- 14 q) International Training Center on Pig Husbandry (ITCPH);
- 15 r) Bureau of Agriculture and Fisheries Standards (BAFS);
- 16 s) Cooperative Development Authority (CDA);
- 17 t) Philippine Statistics Authority (PSA); and
- 18 u) Other concerned government agencies, and industry stakeholders.

19 The Roadmap shall be finalized within one hundred twenty (120) days from the
20 effectivity of this Act and updated every five (5) years thereafter.

21 **SEC. 6. *Reorganization and Renaming of the National Livestock Program***
22 ***into the Program Management Office (PMO).*** - The current National Livestock
23 Program is hereby reorganized and renamed the Program Management Office (PMO),
24 which shall be headed by a Director and adopting its current staffing pattern through
25 plantilla positions.

26 The PMO shall act as the secretariat and support staff to the Steering Committee.
27 It may continue with the implementation of the livestock programs and projects under the
28 former National Livestock Program, subject to the supervision and direction of the
29 Undersecretary for the NLPD Program.

30 **TITLE III**
31 **OFFICE OF THE UNDERSECRETARY FOR NATIONAL LIVESTOCK, POULTRY,**
32 **AND DAIRY PROGRAM**

1 The following shall be its primary goals and functions:

- 2 1. Promote the competitive development of the LPD industries and its various
3 subgroups as means of attaining food security and combating rural poverty;
- 4 2. Formulate and execute the developmental programs in the Roadmap to
5 ensure competitiveness and development of the LPD industries;
- 6 3. Develop, maintain, and access data or technologies to provide timely,
7 accurate, and responsive information to the DA, LPD farmers, cooperatives
8 and organizations, and other players in the value chain of the LPD sector;
- 9 4. Ensure a steady and accessible supply of animal and poultry stocks and
10 breeds to local farms, particularly to the small-hold and semi-commercial
11 farms; and
- 12 5. Supervise the following Services, namely:
 - 13 a) *Ruminants Service (RS)* – It shall provide developmental and production
14 support, extension services, research, and technical assistance programs
15 to small-hold farmers of cattle, carabaos or water buffaloes, goats, and
16 sheep for meat and dairy production, processing, and for draft animal
17 purposes. Subject to further rationalization, the RS shall absorb the
18 mandates, functions, and personnel of National Beef Cattle Research and
19 Development Center and National Small Ruminants Research and
20 Development Center of BAI.
 - 21 b) *Non-Ruminants Service (NRS)* – It shall provide developmental and
22 production support, extension services, research, and technical assistance
23 programs to small-hold raisers of hogs, poultry and egg, ducks, geese,
24 turkey, quails and other birds, and all other livestock production including,
25 but not limited to, horses, rabbits, and beehive farming. The NRS shall
26 absorb the National Swine and Poultry Research and Development Center,
27 subject to further rationalization.
 - 28 c) *Native Animal Development Service (NADS)* – The Philippine Native Animal
29 Development Center is hereby upgraded to become the NADS, which shall
30 be responsible for the identification, conservation, propagation, and
31 promotion of Philippine native animals, including native pigs, poultry,
32 ducks, deer, horses and carabao or water buffaloes through the use of

1 appropriate technology as sources of meat, eggs, and other by-products,
2 and help increase incomes of farmers.

3 d) *Feeds Development Service (FDS)* – The Feeds Development Service is
4 hereby created to strengthen, in coordination with the DA-National Corn
5 Program and the corn industry players, the availability of affordable and
6 quality animal feeds. It shall engage the private sector, seed producers,
7 feed millers and commercial manufacturers, in joint ventures or direct
8 marketing linkages with corn farmers’ cooperatives and organizations. It
9 shall absorb the mandates, functions and personnel of the BAI-National
10 Feeds Resources Research and Development Center, subject to further
11 rationalization.

12 e) *Research and Marketing Service (RMS)* – It shall be responsible for studies
13 and proposals for livestock, poultry, dairy, and meat consumer protection,
14 consumer attitudes and behavior, product satisfaction, and consumer
15 experience apart from generating information on product quality standards
16 and new LPD products. The RMS shall absorb the Livestock Research and
17 Development Division of BAI.

18 f) *Training and Extension Service (TES)* – It shall be responsible for
19 organizing and coordinating livestock, poultry, and dairy training and
20 educational programs in partnership with LGUs, cooperatives federations,
21 farmer organizations, regional offices of the DA and ATI in order to promote
22 and upgrade the farmers’ skills and practices in livestock, poultry, and dairy
23 animal care, production, processing, storage, handling, marketing,
24 transport, and the overall management of LPD farms.

25 g) *Livestock, Poultry, and Dairy Protection and Disease Control Service*
26 *(LPDPDCS)* – It shall be responsible for programs, policies, surveillance,
27 and emergency action to protect the LPD industries, including native
28 animals, from the risk of outbreak of diseases or pests. The National
29 Veterinary Quarantine Services Division, Animal Health and Welfare
30 Division, and Veterinary Laboratory Division of BAI shall be part of this
31 Service group and shall create programs in accordance with the following
32 powers and mandates:

- 1 i. Regular protection surveillance inspections, in partnership with
2 industry players and LGUs, and establishment of protection
3 surveillance and emergency communications networks that will
4 include farmers groups, LGUs, the police and military, and other
5 stakeholders;
- 6 ii. Pest and disease emergency response by way of developing
7 protocols and responses upon declaration of any LPD pest and
8 epidemic disease incident, including regulation of movement of
9 persons, conveyances, and plant material in affected areas, powers
10 to deputize police, military, and local government to control pest
11 outbreaks, and disposal of affected LPD resources and assets; and
- 12 iii. Conduct of scientific research and technology advancement
13 programs on livestock protection by partnering with SUCs, DOST-
14 PCAARRD, private sector laboratories, and international centers for
15 disease control.

16 SEC. 10. ***Inventory of Animals.*** - Upon the effectivity of this Act, the BAI
17 shall conduct an inventory and audit of all animals and stocks in its farms and centers.
18 It shall thereafter annually monitor animal production, purchase, sale, replacement
19 of stocks, dispersal, and all other forms of disposition of animals, including its genetics
20 and semen, in accordance with government auditing rules. Income derived from such
21 sale or disposition shall also be treated in accordance with government auditing rules.

22 The BAI shall prepare and submit an annual report on the status of
23 implementation of this Section to COCAFAM.

24 SEC. 11. ***Authority in Livestock, Poultry, and Dairy Pest and Diseases-***
25 ***related Emergencies.*** – Through LPDPDCS, the BAI is hereby designated as the
26 overall coordinating government body in the event of any LPD pest or epidemic
27 incident that may be deemed to have the potential to reduce the livestock, poultry, or
28 dairy population at the municipal level by at least two percent (2%). The BAI head
29 shall have the authority to call for the creation or activation of the *Animal and Livestock*
30 *Emergency Response Task Force (ALERTF)* to be composed of key officials at the
31 regional level from the following agencies:

- 32 a) Department of Agriculture – Regional Office;

- 1 b) Department of Interior and Local Government – Regional Office;
- 2 b) Philippine National Police and/or Philippine Army – Regional Command;
- 3 c) Provincial Governor, Provincial Agriculturist, and Provincial Veterinarian;
- 4 d) Mayors of the affected municipalities/cities;
- 5 e) Other science experts on the case; and
- 6 f) Two (2) industry representatives from the affected LPD sub-sector.

7 The provincial, municipal or city veterinarian, as the case may be, shall be duty-
8 bound to immediately report any event of livestock, poultry, or dairy pest or epidemic
9 incident to BAI. It shall likewise alert BAI should the event or incident be deemed to
10 have the potential to reduce the livestock, poultry, or dairy population at the municipal
11 level by at least two percent (2%).

12 In the event of a multi-regional pest or epidemic incident, there shall
13 immediately be formed a national body, under the direction and command of the
14 Office of the President, that shall address such pest or epidemic incident.

15 **SEC. 12. *Rationalization of the Regulatory Functions of the National***
16 ***Meat Inspection Service (NMIS); Conversion into a Line Bureau.*** – The NMIS
17 is hereby converted into a Bureau of the DA and is herein named the Bureau of Animal
18 and Poultry Inspection and Regulation (BAPIR). It shall be the regulatory arm of the
19 livestock and poultry industries under the supervision and direction of the
20 Undersecretary for the NLPD Program. It shall be provided the annual regular budget
21 and plantilla of personnel appropriate to a Bureau.

22 Without prejudice to the original mandate of NMIS, and in coordination with
23 the concerned government agencies and bureaus, it shall have the following primary
24 goals and functions:

- 25 1. To undertake regulatory and monitoring services in order to ensure the
26 quality standards of imported live animals and poultry, production and
27 processing, and food safety of primary and processed livestock and poultry
28 produce;
- 29 2. To formulate and execute inspection, exportation and importation related
30 regulatory programs in the Roadmap; and

- 1 3. To pursue a risk-based and evidence-supported regulatory approach in
2 enforcing food safety and protecting animal health in a manner that is least
3 disruptive to the development of the LPD sectors.

4 Consistent with the powers and functions of the BAPIR, the role of the BAI over
5 animals, particularly cats and dogs, under Republic Act No. 8485 or "Animal Welfare
6 Act of 1998", and other related laws, rules and regulations, is hereby transferred to
7 the BAPIR.

8 The BAPIR shall harmonize its efforts with the BOC, towards the
9 implementation of the National Single Window as a reliable institutional platform for
10 interagency collaboration.

11 The BAPIR, being the successor-in-interest of NMIS' established regulatory
12 powers, shall handle the regulatory processes for the following Service groups:

- 13 a) *Livestock, Poultry, Dairy, and Veterinary Drugs and Products Importation*
14 *Regulation Service (LPDVPIRS)* - The LPDVPIRS, together with the BOC,
15 shall develop strategies and measures to deal with livestock-, poultry-, and
16 dairy-related imports to prevent and minimize health and environmental
17 risks. It shall regulate the importation of animals, animal by-products and
18 produce, poultry, feeds, veterinary drugs and products, and other related
19 animal health products and devices, to ensure efficient supply, food safety,
20 and minimize environmental risk. In view of this, LPDVPIRS shall have
21 the sole authority to issue Sanitary and Phyto-Sanitary Import Clearance
22 (SPSIC) for the aforementioned products and commodities, and to conduct
23 inspection and monitoring at the FBIF. In this regard, the LPDVPIRS is
24 hereby designated in charge of the establishment, management and
25 control of the FBIFs of the DA: *Provided, That* the BAI, through its
26 appropriate service, shall take charge in inspecting imported live animals
27 and poultry for disease and other harmful threats to the local LPD industries
28 and take appropriate defensive measures.
- 29 b) *Livestock and Poultry Inspection Service (LPIS)* –The LPIS shall be the
30 controlling authority in the enforcement of all policies, regulations,
31 guidelines, and standards, including exportation process, pertaining to
32 primary and processed meat products, meat processing, handling, safety,

1 quality, hygiene, and sanitation, including assisting the BAFS in the
2 formulation of safety and quality standards for meat produce. Through its
3 Regional Operation Centers, in coordination with local government units, it
4 shall also have the powers to: inspect meat establishments engaged in
5 slaughter, processing, and domestic meat trade; registration and training
6 of meat inspectors, meat handlers and meat brokers; issuance of license
7 to operate to meat establishments; and accredit facilities, registration of
8 transport conveyances and accredit service providers for Hazard Analysis
9 Critical Control Point Program (HACCP) audit as well as oversight of
10 compliance to hygiene and sanitation standards.

- 11 c) *Animal Feeds, Veterinary Drugs and Biologics Control Service (AFVDBCS)* –
12 AFVDBCS shall be the sole regulatory office over local animal feeds,
13 veterinary drugs and products, and other related animal health products
14 and devices intended solely for animal use including the licensing and
15 monitoring of veterinary drugs and products establishments.

16 In view thereof, all regulatory processes on matters mentioned in the
17 immediately preceding sub-paragraphs (a) and (b) now being handled by other
18 agencies, such as the FDA, shall be transferred to the appropriate service in BAPIR
19 within ninety (90) days from the effectivity of this Act.

20 SEC. 13. ***Streamlining the Regulations of Veterinary Drugs and***
21 ***Products.*** - Consistent with the policies of this Act, Republic Act No 11032 or "Ease
22 of Doing Business and Efficient Government Service Delivery Act of 2018", and the
23 principle of good governance and efficient and effective regulation, the BAPIR through
24 its Animal Feeds, Veterinary Drugs and Biologics Control Service (AFVDBCS) shall
25 become the sole regulatory agency over veterinary drugs and products, and other
26 related animal health products and devices, including the licensing and monitoring of
27 veterinary drugs and products establishments. All regulatory processes for veterinary
28 drugs and products, and other animal health products and devices being handled by
29 other agencies, such as the FDA, shall be transitioned to the AFVDBCS within ninety
30 (90) days from the effectivity of this Act.

1 The Undersecretary shall also direct the proper coordination among these
2 agencies in the implementation of a national fresh milk feeding program in partnership
3 with the DepEd and/or the DSWD and LGUs.

4 In addition to their existing priorities, PCC and NDA shall develop holistic
5 programs that address the needs of farmers, their cooperatives and organizations in
6 different aspects of dairy farm management, like breeding, raising dairy livestock,
7 raw milk production, milk processing, business development and marketing, among
8 others. They shall empower farmers, cooperatives and organizations to increase
9 production.

10 PCC and NDA are likewise mandated to institute a program on distribution of
11 dairy animals to qualified farmers for breeding with close monitoring on the increase
12 in population of reproduced animals. The program shall put in place a system of
13 accountability of beneficiaries that will ensure the success of the program. Funding
14 for these additional mandates shall be as specified in Title VI, Sec. 24(1) of this Act.

15 PCC and NDA shall establish incremental annual targets in the number of dairy
16 animals and volume of fresh milk production, an annual report of which shall be
17 submitted to the COCAFAM.

18 **SEC. 16. *The National Dairy Authority.*** –The NDA shall, for the purpose of
19 policy and program coordination, be attached to the DA as a government owned and
20 controlled corporation.

21 The NDA shall be the central policy determining, developmental and regulatory
22 body tasked to ensure the accelerated development of the Philippine dairy industry,
23 in accordance with the policies and objectives set forth in this Act.

24 The NDA shall be the sole regulatory agency over all dairy activities and
25 products from primary production up to post market product distribution, including
26 but not limited to, domestic and international trading. It shall be strengthened as a
27 food safety regulatory agency with amplified regulatory jurisdiction over the whole
28 dairy industry chain including, but not limited to, micro, small, medium and all other
29 commercial dairy processing plants and other entities engaged in dairy activities,
30 whether in whole or in part.

31 For this purpose, micro processing plants pertain to facilities owned by sole
32 proprietors or cooperatives conducting home-based processing operations while small

1 and medium commercial plants are those owned by local dairy farmers and
2 cooperatives, as defined by Republic Act No. 9501 or the "Magna Carta for Micro,
3 Small and Medium Enterprises", and other related laws. These entities shall be
4 registered with the farmers and fisherfolk enterprise development information system
5 (FFEDIS) of the DA.

6 The NDA, in the exercise of its regulatory function on production, post-harvest,
7 processing, marketing, storage, distribution, and trading, shall require the submission
8 of data and reports relative to the activities along the dairy industry supply/value chain
9 from all licensed dairy business entities, among other measures it may deem proper
10 to regulate the dairy industry.

11 In view thereof, all regulatory powers and functions lodged in other agencies,
12 such as the FDA, are now hereby transferred to the NDA within ninety (90) days from
13 the effectivity of this Act.

14 **SEC. 17. *The Dairy Industry Board.*** – The NDA shall be governed by a Dairy
15 Industry Board to be composed of the following:

16 a) The Secretary of Agriculture, as chairperson, through the Undersecretary for
17 the NLPD program;

18 (b) The NDA Administrator, as an *ex officio* member;

19 (c) The Secretary of Trade and Industry, as member;

20 (d) The Secretary of Health, as member;

21 (e) The Secretary of Education, as member;

22 (f) The Secretary of Social Welfare and Development, as member;

23 (g) The Secretary of Agrarian Reform, as member;

24 (h) The Director of the Dairy Training and Research Institute, as member;and

25 (i) Four (4) other members who shall be appointed by the President of the
26 Philippines upon the recommendation of the chairperson: *Provided*, That one (1) shall
27 come from the commercial milk processors' group and the other three (3) from the
28 dairy cooperatives and/or national dairy federation, with one representative each from
29 Luzon, Visayas and Mindanao: *Provided, further*, That they will hold office for a period
30 of three (3) years from the date of their respective appointments without
31 reappointment: *Provided, finally*, That any member appointed to a vacancy shall serve
32 only for the unexpired term of the member whom he/she succeeds.

1 SEC. 18. ***Powers and Functions.*** – The NDA shall have the following powers
2 and functions:

- 3 a) Formulate and execute dairy programs that will generate a national, urban,
4 and rural impact on nutrition levels and incomes;
- 5 b) Conduct the purchase, construction, importation, propagation, storage,
6 distribution, and sale of dairy livestock, materials, equipment and facilities,
7 and all other inputs required by the dairy industry;
- 8 c) Integrate dairy production, and dairy related businesses into various
9 livelihood and nutrition programs;
- 10 d) Spearhead and coordinate all publicly funded milk feeding programs and
11 coordinate all private sector milk feeding initiatives;
- 12 e) Absorb, assume control of, and supervise all dairy-related national
13 government projects, programs and assets in the country;
- 14 f) Receive grants, subsidies, donations or contributions from corporations,
15 trusts, foundations, associations and other sources from any private or
16 government office, agency or corporation in the Philippines or abroad;
- 17 g) Establish, maintain or operate field units or offices in various parts of the
18 country in order to utilize the objectives of this Act;
- 19 h) Design and implement a credit system that will be responsive to the needs
20 of dairy farmers and dairy cooperatives or associations;
- 21 i) Engage in dairy related business, milk-buying and other marketing activities,
22 and to sustain the financial viability of the corporation to include, but not
23 limited to, sales, exchange, exportation, and importation of dairy animals
24 and to engage in business ventures and other commercial arrangements
25 with third parties related to dairy activities including but not limited to
26 establishment of milk processing plants, feed processing, trading, hauling,
27 shipping, and other value chain business or activities on dairying;
- 28 j) Borrow, raise or obtain funds; to issue bonds and other instruments of
29 indebtedness; or to enter into any financial or credit arrangement in order
30 to support or carry out its objectives and purposes, subject to pertinent laws
31 governing public debts and expenditures;

- 1 k) Establish and operate its own dairy stock farms, nucleus farms, and artificial
2 insemination facilities for the purpose of breeding, upgrading, dispersal and
3 sale of dairy animals;
- 4 l) Charge reasonable fees for services rendered for the attainment of the
5 objectives of this Act;
- 6 m) Maintain corporate capital structure for its continued operations and
7 maintenance in addition to the annual General Appropriations Act upon the
8 effectivity of this Act;
- 9 n) Adopt, alter and use a corporate seal; to sue and be sued; and otherwise
10 to do and perform all acts or exercise all powers as may be necessary or
11 incidental to carry out the objectives of this Act;
- 12 o) Recommend tariff rates for dairy products in accordance with existing and
13 applicable laws and treaties, in coordination with the Tariff Commission;
- 14 p) Issue licenses to operate, certificates of product registration, dairy product
15 standards, approval of labelling and packaging, and collect incidental fees
16 in connection therewith from dairy related businesses;
- 17 q) Perform dairy safety and other regulatory functions over dairy production
18 and processing, including those businesses, industries, and activities found
19 on the dairy value chain;
- 20 r) Perform border control over the exportation and importation of dairy
21 animals and dairy products including the issuances of import and export
22 permits and licenses;
- 23 s) Monitor supply and demand, distribution, importation, processing and
24 manufacture of milk and other dairy products;
- 25 t) Fix, regulate, coordinate and facilitate the absorption of local milk supply by
26 the commercial sector, and to strengthen the dairy development fund in
27 Republic Act No. 7884 or the "National Dairy Development Act of 1995" from
28 the proceeds of the incidental regulatory fees arising therefrom, the fund of
29 which shall be used to capacitate the small-scale producers and processors,
30 and to meet the NDA's corporate social responsibility activities;

- 1 u) Establish and maintain facilities related to its regulatory functions that shall
2 include but not limited to border inspection offices, reference laboratories,
3 satellite laboratories among others;
- 4 v) Strengthen its own staff compliment as the need arises and as approved by
5 the board, subject to civil service guidelines and other pertinent laws;
- 6 w) Assist and deputize the PCC in the latter's milk production and regulation;
7 and
- 8 x) Promulgate rules and regulations to carry out the provisions and policy
9 objectives of this Act.

10 SEC. 19. **Nutrition Program; Milk Feeding Program.** – The nutrition
11 program of government requiring milk and dairy products shall be sourced first from
12 local dairy farmers and dairy cooperatives in coordination with the NDA and the PCC
13 until supply has been exhausted.

14 The NDA, in coordination with the PCC, shall ensure that all participants of the
15 milk feeding program utilizes milk produced by local dairy farmers and cooperatives.

16 SEC. 20. **Dairy Programs, Projects, and Assets.** - All remaining
17 government dairy programs, projects, and assets operating outside of the NDA, except
18 the PCC, shall be absorbed by the NDA. Towards this end, the NDA shall conduct an
19 inventory of all assets, lots, funds held, grants, subsidies and records of all national
20 line government agencies related to dairying, including the lot it presently occupies in
21 the BAI compound which shall measure to at least five hundred (500) square meters.

22 The Land Registration Authority, in coordination with the NDA, Department of
23 Environment and Natural Resources (DENR) and affected agencies, is hereby tasked
24 to transfer the ownership of the approved inventory of dairy related properties to the
25 NDA, including the five hundred (500) square meter lot in the BAI Compound.

26 SEC. 21. **Condonation and Writing-off of Farmers' Debts.** – To achieve
27 the objectives of this Act, the debts, including interests and penalties, of farmers to
28 the NDA and PCC under the animal dispersal program or *paiwi* of both agencies are
29 hereby condoned and written-off the records of NDA and PCC.

30 Title V

31 MANAGEMENT INFORMATION SYSTEM

1 the annual General Appropriations Act, there is hereby created a Livestock, Poultry,
2 and Dairy Competitiveness Enhancement Fund (LPD Fund) which shall be utilized by
3 these agencies.

4 The LPD Fund shall consist of an annual appropriation of Seven billion and eight
5 hundred million pesos (₱7,800,000,000.00) sourced from all tariff collections on
6 imported livestock, poultry, and dairy products for the fraction of the year following
7 the effectivity of this Act and six (6) years thereafter.

8 *Livestock Imports* include imported products under the following HS headings
9 or AHTN Codes, and Descriptions:

- 10 i. 01.01 - Live horses, asses, mules and hinnies.
- 11 ii. 01.02 - Live bovine animals.
- 12 iii. 01.03 - Live swine.
- 13 iv. 01.04 - Live sheep and goats
- 14 v. 0106.13.00 - Other live animals - - Rabbits and hares
- 15 vi. 0106.41.00 - Other live animals - - Bees
- 16 vii. 02.01 - Meat of bovine animals, fresh or chilled.
- 17 viii. 02.02 - Meat of bovine animals, frozen.
- 18 ix. 02.03 - Meat of swine, fresh, chilled or frozen.
- 19 x. 02.04 - Meat of sheep or goat, fresh, chilled or frozen.
- 20 xi. 02.05 - Meat of horses, asses, mules or hinnies, fresh, chilled or frozen.
- 21 xii. 02.06 - Edible offal of bovine animals, swine, sheep, goats, horses,
22 asses, mules or hinnies, fresh, chilled or frozen.
- 23 xiii. 02.08 - Other meat and edible meat offal, fresh, chilled or frozen.
- 24 xiv. 0209.10.00 - Pig fat, free of lean meat, and poultry fat, not rendered or
25 otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or
26 smoked - - Of Pigs
- 27 xv. 02.10 - Meat and edible meat offal, salted, in brine, dried or smoked;
28 edible flours and meals of meat or meat offal.
- 29 xvi. 04.09 - Natural Honey
- 30 xvii. 04.10.00.90 - Edible products of animal origin, not elsewhere specified
31 or included - - Other

- 1 xviii. 05.02 - Pigs', hogs', boars' bristles and hair; badger hair and other brush
2 making hair; waste of such bristle or hair.
- 3 xix. 05.04 - Guts, bladders and stomachs of animals (other than fish), whole
4 and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or
5 smoked.
- 6 xx. 05.06 - Bones and horn-cores, unworked, defatted, simply prepared (but
7 not cut to shape), treated with acid or degelatinised; powder and waste
8 of these products.
- 9 xxi. 05.07 - Ivory, tortoise-shell, whalebone and whalebone hair, horns,
10 antlers, hooves, nails, claws and beaks, unworked or simply prepared
11 but not cut to shape; powder and waste of these products.

12 *Poultry Imports* include imported products under the following HS headings or
13 AHTN Codes, and Descriptions:

- 14 i. 01.05 - Live poultry, that is to say, fowls of the species *Gallus*
15 *domesticus*, ducks, geese, turkeys and guinea fowls.
- 16 ii. 02.07 - Meat and edible offal, of the poultry of heading 01.05, fresh,
17 chilled or frozen.
- 18 iii. 0209.90.00 - Pig fat, free of lean meat, and poultry fat, not rendered or
19 otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or
20 smoked - - Other
- 21 iv. 0210.99.10 - Meat and edible meat offal, salted, in brine, dried or
22 smoked; edible flours and meals of meat or meat offal - -Freeze dried
23 chicken dice
- 24 v. 04.07 - Birds' eggs, in shell, fresh, preserved or cooked
- 25 vi. 04.08 - Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by
26 steaming or by boiling in water, moulded, frozen or otherwise preserved,
27 whether or not containing added sugar or other sweetening matter.
- 28 vii. 0410.00.10 - Edible products of animal origin, not elsewhere specified
29 or included - - Birds' nest

30 *Dairy Imports* include imported products under the following HS headings or
31 AHTN Codes, and Descriptions:

- 1 i. 04.01 - Milk and cream, not concentrated nor containing added sugar or
2 other sweetening matter.
- 3 ii. 04.02 - Milk and cream, concentrated or containing added sugar or other
4 sweetening matter.
- 5 iii. 04.03 - Buttermilk, curdled milk and cream, yogurt, kephir and other
6 fermented or acidified milk and cream, whether or not concentrated or
7 containing added sugar or other sweetening matter or flavoured or
8 containing added fruit, nuts or cocoa.
- 9 iv. 04.04 - Whey, whether or not concentrated or containing added sugar
10 or other sweetening matter; products consisting of natural milk
11 constituents, whether or not containing added sugar or other sweetening
12 matter, not elsewhere specified or included.
- 13 v. 04.05 - Butter and other fats and oils derived from milk; dairy spreads.
- 14 vi. 04.06 - Cheese and curd.

15 All tariff collections from livestock, poultry, and dairy shall be automatically
16 credited to a special account for the NLPD Program in the general fund of the national
17 treasury which shall be in place within forty five (45) days from the effectivity of this
18 Act: *Provided*, That if the tariff collection exceeds Seven billion and eight hundred
19 million pesos (₱7,800,000,000.00) in any given year within the next six (6) years
20 following the effectivity of this Act, the excess tariff revenue shall automatically be
21 added to the LPD Fund of the following year and the total amount be allocated and
22 utilized in accordance with this Act: *Provided further*, That allocation and utilization of
23 the LPD Fund shall be subject to the following guidelines:

- 24 a) The recipient agency shall be accountable and responsible for the
25 management and utilization of the said fund in coordination with other
26 government agencies concerned. It shall provide the Secretary of the DA,
27 through the Undersecretary for the NLPD Program, a regular report on its
28 fund management and utilization;
- 29 b) The amount allocated shall be released directly to the implementing
30 agencies as provided for in this Act based on the objectives and plans of the
31 LPD Value Chain Development Roadmap, created in Section 4 of this Act:
32 *Provided*, That the unutilized portion of the LPD Fund allocated to the

1 implementing agencies shall not revert to the general fund but shall
2 continue to be used for the purpose for which it was set aside. Fund releases
3 charged against the said funds shall not be subject to any ceiling by the
4 DBM; and

- 5 c) Any program undertaken in accordance with this Act shall only be deemed
6 complementary and supplementary to, and shall not be a replacement of
7 any existing programs for the LPD sector already implemented by the DA
8 and other agencies concerned.

9 **SEC. 24. Allocation and Disbursement of the Livestock, Poultry, and**
10 **Dairy Competitiveness Enhancement Fund.** – Subject to the usual accounting
11 and auditing rules and regulations, the LPD Fund shall be annually allocated, disbursed
12 and used as follows:

- 13 1. Twenty nine percent (29%) for repopulation and herd build-up,
14 improvement and accreditation of established breeding centers/stock farms
15 nationwide. The fund shall be distributed as follows: fifteen percent (15%)
16 to BAI and fourteen percent (14%) to be divided equally by PCC and NDA
17 for dairy development in accordance with their additional mandates set
18 forth in Sec. 15 of this Act, and in addition to their existing budget
19 allocations: *Provided*, That the allocation herein shall be disbursed
20 according to the following schedule:

21 For the BAI (15%):

- 22 a) Sixty percent (60%) for the hogs subsector repopulation/herd build-
23 up;
24 b) Ten percent (10%) for poultry;
25 c) Ten percent (10%) for native animals;
26 d) Twenty percent (20%) for other animals.

27 *Provided*, That the breeder/stock farm for paragraphs (a) and (b) shall refer
28 only to cooperative or associations of at least 15 hog/chicken farms, which
29 have been in existence for at least five (5) years. They should have a
30 counterpart contribution of at least two-hectare lot for said breeder/stock
31 farm: *Provided further*, That paragraphs (c) and (d) shall be coursed

1 through the nucleus farms of the BAI all over the country, equally divided,
2 which in turn shall be responsible in producing and distributing animals such
3 as but not limited to pigs, chicken, sheep, goats, cattle to farmers
4 cooperatives/associations/organizations: *Provided finally*, That the first two
5 (2) years of the fund allocation for paragraphs (c) and (d) shall be utilized
6 in strengthening the physical make-up of the nucleus farms and in the
7 procurement of breeder/stock animals.

8 For the NDA (7%) and the PCC (7%):

9 a) Seventy percent (70%) for genetically improved dairy cattle and
10 carabao repopulation/herd build-up;

11 b) Thirty percent (30%) for the other concerns enumerated in this Act
12 *Provided*, That the breeder/stock farm shall refer only to cooperative or
13 associations of at least 15 dairy farms, which have been in existence for at
14 least two (2) years. They should have a counterpart contribution of at least
15 two-hectare lot for said breeder/stock farm.

- 16 2. Fifteen percent (15%) to BAI for animal health and welfare, and native
17 animal development programs, disease control, prevention and response,
18 including protective surveillance, pest and disease emergency response,
19 and conduct of research and technology advancement programs to be
20 distributed as follows: five percent (5%) for BAI-LPDPDCS, five percent
21 (5%) for BAI-AHWD, and five percent (5%) for BAI-NADS.

22 A Capacity Recovery Fund (CRF) in the amount of One hundred million
23 pesos (Php100,000,000.00) from the budget appropriated in this paragraph,
24 shall be set aside every year by BAI, as the lead agency in ALERTF. It shall
25 be utilized as a supplementary fund to the Quick Response Fund of the DA,
26 the Calamity Fund under Republic Act No. 10121 or the "Philippine Disaster
27 Risk Reduction and Management Act of 2010", or other government
28 sources. Local Government Units may also augment the CRF using their

1 local funds. Unexpended CRF shall remain in standby and shall not be
2 reverted to the general fund.

3 The CRF shall be managed by the Undersecretary for the NLPD Program.
4 It shall be the source of actual cash assistance to LPD farmers who have
5 become victims of any crisis contemplated under this Act. The qualification
6 of recipients and mechanism by which cash assistance shall be handed out
7 shall be drawn by the Undersecretary for the NLPD Program in consultation
8 with the LPD associations/organizations: *Provided*, That the actual channel
9 by which cash is to be given out shall be through the Landbank of the
10 Philippines or the Development Bank of the Philippines;

- 11 3. Fifteen percent (15%) to PhilMech for building or improving shared service
12 facilities such as primary processing facilities like slaughterhouses, poultry
13 dressing plants, collection of dairy milk, processing and storage, distribution
14 of equipment for developing pasture lands in strategic areas or provinces,
15 and building of bio-secure facilities with appropriate equipment for LPD
16 production to serve the needs of small-hold raisers, cooperatives or
17 organizations: *Provided*, That the allocation and disbursement of funds shall
18 be in accordance with the following schedule:

19 Hogs sub-sector – thirty percent (30%)

20 Dairy sub-sector - thirty percent (30%)

21 Poultry sub-sector- Ten percent (10%)

22 Other animals - Thirty percent (30%)

- 23 4. Fifteen percent (15%) for developing and augmenting food safety and
24 animal support extension and training; five percent (5%) to BAPIR; five
25 percent (5%) to be equally divided by NDA and PCC, in cooperation with
26 ATI; one percent (1%) to BAI, in cooperation with ATI (1.5%), ITCPH
27 (1.5%), and PhilMech (1%);

- 1 5. Twelve percent (12%) to be equally divided at four percent (4%) each by
2 BAI-FDS, NDA and PCC for development and propagation of animal and
3 poultry feeds, forage and fodder, particularly by providing seeds and
4 planting materials, and ensure easy and affordable access to small-hold
5 farms. They shall establish model forage farms in their existing research
6 and development centers nationwide and develop forage and feed
7 consolidation models in partnership with cooperatives;

- 8 6. Five percent (5%) to LBP and DBP, to be managed equally and made
9 available in the form of credit facility for the improvement of breeders and
10 stocks through the purchase of breeders, growers, multipliers, feeds, and
11 genetically improved stocks, establishment of animal housing, and
12 purchase of livestock, poultry and dairy farm equipment, with the least of
13 interest rates and documentary requirements;

- 14 7. Three percent (3%) to the Office of the Undersecretary for the NLPD
15 Program, to be divided at two percent (2%) for planning, formulating,
16 updating the Roadmap, monitoring activities, and impact assessment
17 studies; and one percent (1%) for use in the establishment and operation
18 of the Livestock, Poultry and Dairy Management Information System
19 (LPDMIS);

- 20 8. Three percent (3%) to DA-Agribusiness and Marketing Assistance Service
21 (DA-AMAS) for marketing and trade promotion activities to benefit
22 livestock, poultry and dairy raisers; and

- 23 9. Two percent (2%) to be divided between the BAI-Livestock Research and
24 Development Division (1%) for farm school-based and/or industry-driven
25 research and development programs, as well as for support to technology
26 transfer and commercialization programs and projects, in support of the
27 areas identified in Sec. 4(i), and one percent (1%) for PCC.

1 10. One percent (1%) to the CDA for the accreditation of small-hold
2 livestock, poultry, and dairy raisers, into formal groups, cooperatives or
3 organizations;

4 *Provided*, That each agency in the above-allocation of funds shall annually report on
5 their accomplishment to the COCAFAM.

6 **SEC. 25. *Beneficiaries of LPD Fund.*** – Within one hundred eighty (180) days
7 from the effectivity of this Act, the DA, in consultation with farmers' cooperatives and
8 organizations, and LGUs, shall establish the LPD Registry System (LPDRS), the master
9 list of eligible beneficiaries of the LPD Fund.

10 The beneficiaries of the LPD Fund are small-hold LPD raisers, LPD cooperatives,
11 associations, or organizations accredited by the DA: *Provided*, That preferential
12 attention shall be given to LPD raisers who are members of cooperatives, associations
13 or organizations.

14 **SEC. 26. *Review of the Livestock, Poultry, and Dairy Competitiveness***
15 ***Enhancement Funds.*** – The following mandatory review of the LPD Fund shall be
16 performed:

- 17 1. The Philippine Institute for Development Studies (PIDS) shall conduct
18 impact evaluation of the LPD Fund programs to LPD productivity on the
19 second (2nd), third (3rd) and sixth (6th) year of the effectivity of this Act,
20 as provided for in Sec. 24 (7) of this Act;
- 21 2. The percentage allocation of the LPD Fund shall be reviewed on the third
22 (3rd) year from the effectivity of this Act for possible revisions should
23 intervention priorities change; and
- 24 3. Before the end of the sixth (6th) year from the effectivity of this Act, a
25 mandatory review shall be conducted by the COCAFAM to determine whether
26 the LPD Fund and its utilization as provided for under this Act shall be
27 continued, amended, or terminated. The increase or decrease in farmers'
28 incomes shall be a primary benchmark in determining the effectiveness of
29 the interventions under the program and its possible extension;

1 In view of its oversight function, the COCAF, at any time, may conduct an
2 assessment of the implementation of programs and utilization of LPD Fund as directed
3 under this Act.

4 **SEC. 27. *Budget for the Procurement of Local Fresh Milk and Fresh-***
5 ***Milk based Products under the Milk Feeding Program of RA No. 11037.*** –The
6 DSWD and DepEd and other government entities shall hereby allocate their respective
7 budgets for the procurement of milk in the implementation of the National Feeding
8 Program to be sourced first, until supply is exhausted, from locally produced fresh milk
9 and fresh milk- based food products which are incorporated in the fortified meals and
10 cycle menu.

11 **TITLE VII**

12 **FINAL PROVISIONS**

13 **SEC. 28. *Powers of the President.*** –The President is hereby empowered to:

- 14 a) Revise or adjust existing rates of customs duties on LPD imports up to their
15 respective bound rates committed by the Philippines under the WTO
16 agreement on agriculture and under ASEAN Trade in Goods Agreement,
17 including any necessary change in classification applicable to their
18 importation, subject to the provisions of the Customs Modernization and
19 Tariff Act (CMTA): *Provided*, That the adjustment is time-bound and that
20 the power herein delegated to the President shall only be exercised when
21 Congress is not in session: *Provided further*, That any order issued by the
22 President adjusting the applied tariff rates shall take effect fifteen (15) days
23 after publication;
- 24 b) Allow the importation of LPD products at a lower applied tariff rate to
25 address the situation in the event of any imminent or forecasted shortage,
26 animal disease epidemic, or such other situation requiring government
27 intervention for a limited period and/or a specified volume. Such order shall
28 take effect immediately and can be issued even when Congress is in
29 session.

30 The power herein delegated to the President may be withdrawn or terminated
31 by Congress through a joint resolution.

1 SEC. 29. **Separability Clause.** – If any provision of this Act is declared
2 unconstitutional, the remainder thereof not otherwise affected shall remain in full force
3 and effect.

4 SEC. 30. **Repealing Clause.** – Sections 4,5,6 and 16 of Republic Act No. 7884
5 are hereby repealed. The provisions of Republic Act No. 7884 not affected shall have
6 suppletory application.

7 Such other laws, presidential decrees, executive orders, letters of instruction,
8 proclamations or administrative regulations that are inconsistent with the provisions
9 of this Act are hereby repealed, amended, or modified accordingly.

10 SEC. 31. **Effectivity.** – This Act shall take effect after fifteen (15) days
11 following the completion of its publication in the Official Gazette, or in a newspaper of
12 general circulation.

13 Approved,