

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

7 JUL -3 P1:13

SENATE

RECEIVED BY: 

S.B. No. 768

Introduced by SENATOR COMPAÑERA PIA S. CAYETANO

EXPLANATORY NOTE

Biotechnology is now recognized as having great potentials for the promotion of human well-being, particularly in meeting critical needs for food, agriculture and health care. However, these products of modern biotechnology cannot be enjoyed fully by Filipinos unless certainties regarding their risk to human health and environment are eliminated. As of this recent time, the non-hazardous nature of GMOs has yet to be established thus consumers must be given the informed choice on whether or not the product they are buying contained or were derived from GMOs. This can only be achieved by requiring these products to be properly labeled as such.

For this reason, approval of this Bill is urgently sought.


COMPAÑERA PIA S. CAYETANO
Senator

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AN ACT
PRESCRIBING THE PROPER LABELING OF PLANTS, FOOD AND
PRODUCTS CONTAINING GENETICALLY MODIFIED ORGANISM AND/OR
ARE RESULT OF BIOTECHNOLOGY, PROVIDING PENALTIES FOR
VIOLATION THEREFOR AND FOR OTHER PURPOSES.

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

SECTION 1. Title.- This Act shall be known as the "GENETICALLY MODIFIED ORGANISM AND BIOTECHNOLOGY LABELLING ACT of 2007."

SECTION 2. Definition of Terms. –

- a. **"GMO"** shall mean any biological entity that possesses a novel combination of genetic material obtained through the use of modern biotechnology.
- b. **"BIOTECHNOLOGY"** shall mean (i) recombinant nucleic acid techniques involving the formation of new combinations of genetic material by the insertion of nucleic acid molecules produced by whatever means outside an organism, into any virus, bacteria, plasmid or other vector system and their incorporation into a host organism in which they do not naturally occur but in which they are capable of continued propagation; (ii) techniques involving the direct introduction into an organism of heritable material prepared outside the organism including micro-injection, macro-injection and micro-encapsulation; and (iii) cell fusion, including protoplast fusion, or hybridization techniques where live cells with new combinations of heritable genetic material are formed through the fusion of two or more cells by means of methods that do not occur naturally.

- c. **“PLANT”** shall mean any living stage or form of any member of the plant kingdom and parts thereof, including seeds, rhizomes, bulbs and corms, grafts, leaves, roots, scions and others that may be used for propagation.
- d. **“FOOD”** shall mean any substance taken from an organism which is intended as a source of nutrition and supplement of humans.
- e. **“PRODUCTS”** shall mean any other substance taken from an organism which is not characterized as Food.

Section 3. *Labeling of Plants, Food and Products.* – All Plants, Food, and Products must be labeled as such which must contain, among others, a statement on the following:

- a. That the Plants, Food or Products contain or are derived from a GMO;
- b. The Biotechnology used to genetically modify the organism;
- c. That the Plant, Food or Product has undergone risk assessment and the results thereof;
- d. That the Plant, Food or Product had been authorized for distribution by the Department of Agriculture (DA) or Bureau of Food and Drugs (BFAD).

Section 4. *Duty of NCBP.* – The National Committee on Biosafety of the Philippines (NCBP) shall promulgate the necessary implementing rules and regulation for the complete and proper implementation of this Act.

Section 5. *Duty of the DA, DENR and BFAD.* – The DA, Department of Environment and Natural Resources (DENR) and BFAD shall prepare a complete list of Plants, Food and Products containing GMOs authorized to be distributed in the country.

Section 6. *Penalty for Violation.* – Any person who knowingly distribute Plants, Food or Products containing or derived from GMOs without the proper label shall suffer imprisonment of one (1) month and one (1) day to six (6) months imprisonment and/or a fine in the amount of Fifty Thousand Pesos (P50,000.00) to One Hundred Thousand Pesos (P100,000.00), at the discretion of the court.

Section. 7. *Separability Clause.*- If any part, section, or provision of this Act shall be held invalid or unconstitutional, the other provisions shall not be affected thereby.

Section. 8. *Repealing Clause.*- The Revised Penal Code and all other acts, laws, executive orders, presidential issuances, rules and regulations or any part thereof which are inconsistent herewith are hereby deemed repealed or modified accordingly.

Section. 9. *Effectivity.* -The provisions of this Act shall take effect six months from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved.