HOUSE OF REPRESENTATIVES

H. No. 6878


AN ACT
STRENGTHENING THE IMPLEMENTATION OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT 10068, OR THE ORGANIC AGRICULTURE ACT OF 2010

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

Section 1. Section 2 on Declaration of Policy is hereby amended to read as follows:

"SEC. 2. Declaration of Policy. It is hereby declared the policy of the State to promote, propagate, develop further and implement the practice of organic FARMING AND OTHER SUSTAINABLE agriculture PRACTICES in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity AND FARMERS’ INCOMES, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers, and the general public, [and] save on imported farm inputs AND PROMOTE FOOD SELF SUFFICIENCY.

Towards this end, a comprehensive program for the promotion of community-based organic agriculture systems, which include, among others, farmer-produced [purely organic fertilizers such as compost, pesticides] ORGANIC SOIL AMENDMENTS, BIO CONTROL AGENTS and other farm inputs, [together with a nationwide educational and promotional campaign for their use and processing, as well as adoption of organic agriculture system as a
viable alternative] shall be undertaken.

LIKEWISE, A NATIONWIDE EDUCATIONAL AND AWARENESS CAMPAIGN FOR CONSUMERS ON THE BENEFITS OF CONSUMING ORGANIC PRODUCTS AS WELL AS ON THE VIABILITY OF ORGANIC AGRICULTURE SYSTEM AS AN ALTERNATIVE SHALL BE UNDERTAKEN TO BOOST LOCAL PRODUCTION OF ORGANIC FOOD AND NON-FOOD PRODUCTS.

The State recognizes and supports the central role of the farmers, indigenous people and other stakeholders at the grassroots in this program.”

Section 2. Section 3 on Definition of Terms is hereby amended to read as follows:

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

XXX

(h) Certification is the procedure by which [official certification bodies or officially recognized certification bodies] A GOVERNMENT AGENCY OR AN OFFICIALLY ACCREDITED ORGANIC CERTIFYING BODY (OCB) provides written or equivalent assurance that [foods or food control systems] OPERATORS AND CORE PARTICIPATORY GUARANTEE SYSTEM (PGS) GROUPS conform to [requirements] ORGANIC AGRICULTURE STANDARDS AS PROVIDED IN THIS ACT;

(i) OFFICIAL Accreditation is the procedure by which a government agency having jurisdiction formally recognizes the competence of an [inspection and/or certification] ORGANIC CERTIFYING body to provide inspection and certification services;

XXX

(O) INSPECTION IS THE EXAMINATION OF THE PRODUCTION, POSTHARVEST, PROCESSING, HANDLING, STORAGE AND PACKAGING UNITS TO VERIFY THAT THESE CONFORM TO THE ORGANIC AGRICULTURE STANDARDS;

(P) ORGANIC BIO-CONTROL AGENTS ARE ORGANISMS AND THEIR ASSOCIATED METABOLITES AS WELL AS NATURALLY OCCURRING SUBSTANCES THAT CONTROL PESTS AND DISEASES;
(Q) **ORGANIC CERTIFYING BODY** (OCB) IS A LEGAL ENTITY OFFICIALLY ACCREDITED BY A GOVERNMENT AGENCY TO PERFORM INSPECTION AND CERTIFICATION ACTIVITIES;

A CORE PGS GROUP, SEEKING TO BECOME AN ORGANIC CERTIFYING BODY, SHALL FIRST BE EVALUATED BY THE BUREAU OF AGRICULTURE AND FISHERIES STANDARDS (BAFS) AS COMPLIANT WITH ORGANIC AGRICULTURE STANDARDS AND WITHOUT ANY INFRACTION FOR THE PAST THREE (3) YEARS. THIS SHALL ALSO SERVE AS BASIS FOR ITS OFFICIAL ACCREDITATION AS AN ORGANIC CERTIFYING BODY.

THE NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS SHALL ENCOURAGE AND SUPERVISE THE PROMOTION AND IMPLEMENTATION OF THE ORGANIC AGRICULTURE PROGRAM.

ANY PRIVATE GROUP OR ORGANIZATION ACTUALLY ENGAGED IN ORGANIC AGRICULTURE, FOR THE PAST FIVE (5) YEARS, AS A DIRECT ORGANIC FARM PRODUCER, AS A PROMOTER/ADVOCATE OF THE WAYS, METHODS AND PRINCIPLES OF ORGANIC AGRICULTURE, OR AS A MARKETER OF ORGANIC AGRICULTURE PRODUCE, MAY ALSO APPLY TO BECOME AN ORGANIC CERTIFYING BODY;

(R) **ORGANIC SOIL AMENDMENTS** ARE PRODUCTS WITHIN THE SCOPE OF THE PHILIPPINE NATIONAL STANDARD THAT ARE ADDED TO THE SOIL TO IMPROVE ITS PHYSICAL PROPERTIES.

(S) **PARTICIPATORY GUARANTEE SYSTEMS** (PGS) ARE LOCALLY FOCUSED QUALITY ASSURANCE SYSTEMS THAT CERTIFY TO THE PRACTICE OF ORGANIC AGRICULTURE. THE CERTIFICATION IS BASED ON THE ACTIVE PARTICIPATION OF PRODUCERS AND FARMERS IN THE PRACTICE OF ORGANIC
AGRICULTURE, BUILT ON A FOUNDATION OF TRUST, SOCIAL NETWORKS AND KNOWLEDGE EXCHANGE.

(T) PGS GROUP IS A LEGAL ASSOCIATION OR COOPERATIVE OF REGISTERED FARMER MEMBERS AND OTHER STAKEHOLDERS IN A PARTICIPATORY GUARANTEE SYSTEM.

(U) PARTICIPATORY ORGANIC CERTIFICATE IS A DOCUMENTARY PROOF THAT A CORE PGS GROUP IS COMPLIANT WITH THE REQUIREMENTS, STANDARDS AND NORMS OF ORGANIC AGRICULTURE. IT SHALL BE ISSUED BY A GOVERNMENT AGENCY OR BY AN AUTHORIZED ORGANIC CERTIFYING BODY, AFTER THE CONDUCT OF AN INVESTIGATION AND CERTIFICATION ACTIVITY ON THE APPLICATION FOR CERTIFICATION BY THE CORE PGS GROUP. IT SHALL CONTAIN A PERIOD FOR ITS VALIDITY, AS SET BY THE BAFS.

(V) SMALL FARMERS REFER TO THOSE CULTIVATING NOT MORE THAN FIVE (5) HECTARES OF LAND AND/OR ARE ENGAGED AS SMALL POULTRY/LIVESTOCK/SHEEP AND OTHER SMALL RUMINANTS RAISERS WHO ARE DEFINED AS THOSE RAISING 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
- SHEEP AND OTHER SMALL RUMINANTS
- AND OTHERS THAT THE NATIONAL ORGANIC BOARD DEEMS AS SMALL FARMER
(W) **SMALL FISHERS** ARE ANY OF THE FOLLOWING:

- THOSE OPERATING FISHING VESSELS OF NOT MORE THAN THREE (3) TONS IN CAPACITY;
- THOSE OPERATING FISHPONDS OF LESS THAN FIVE HECTARES OR CAGES OF LESS THAN 400 SQUARE METERS;
- FISH WORKERS IN FISHING BOATS, FISHPONDS, OR FISH PROCESSING ESTABLISHMENTS; AND
- ANY OTHER INDIVIDUALS WHO ARE ENGAGED IN PROCESSING, AND DISTRIBUTION.

(X) **ORGANIC VALUE CHAIN OR AGRIBUSINESS** ARE AGRICULTURE-RELATED ACTIVITIES THAT PUT FARMERS, PROCESSORS, DISTRIBUTORS AND CONSUMERS WITHIN A SYSTEM THAT PRODUCES, PROCESSES, TRANSPORTS, MARKETS AND DISTRIBUTES ORGANIC AGRICULTURAL PRODUCTS.”

Section 3. Section 4 on Coverage 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 **THAT THE NOAB DEEMS APPROPRIATE**; and

(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."

Section 4. Section 7 on the Composition of the NOAB is hereby amended to read as follows:

"SEC. 7. Composition of the NOAB. The NOAB shall consist of:

(a) The Secretary of Agriculture, or his duly authorized permanent representative, with a rank of Undersecretary, as Chairperson;

XXX

(e) [The Secretary of Education] DIRECTOR GENERAL OF THE TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA), or [his] A duly authorized permanent representative;

XXX

(j) A representative [each] from the NGOs involved in sustainable ORGANIC agriculture [for at least three (3) years; agricultural colleges and universities; and private sector or agribusiness firms as members];

(K) A REPRESENTATIVE FROM AGRICULTURAL COLLEGES AND UNIVERSITIES INVOLVED IN SUSTAINABLE ORGANIC AGRICULTURE;

(L) A REPRESENTATIVE FROM THE PRIVATE SECTOR OR AGRIBUSINESS FIRMS INVOLVED IN SUSTAINABLE ORGANIC AGRICULTURE;

(M) TWO (2) REPRESENTATIVES OF THE NATIONAL PGS FORMED TO BE CHOSEN AMONG AND BY THEMSELVES; AND

(N) ONE (1) REPRESENTATIVE FROM A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNIT (LGUs) ACTUALLY ENGAGED IN ORGANIC AGRICULTURE.

XXX

The representatives of small farmers and NGOs and of agricultural colleges and universities shall be chosen by the Secretaries of Agriculture and Science and Technology, respectively, from among nominees submitted by their respective national organizations. These representatives must [be] REPRESENT FARMERS’ ORGANIZATIONS NATIONWIDE, ACTUALLY AND ACTIVELY PRACTICING, PROMOTING
ORGANIC AND OTHER SUSTAINABLE AGRICULTURE
PRACTICES, conversant in organic agriculture and committed to the policies
and programs provided under this Act. THE THREE SEATS GIVEN TO
SMALL FARMERS SHALL BE CHOSEN FROM THE LIVESTOCK
AND CROP SECTORS, WHICH WILL HAVE ONE (1) AND TWO (2)
SEATS RESPECTIVELY."

XXX

Section 5. Section 8 on Organization of the NOAB is hereby amended to read
as follows:

"SEC. 8. Organization of the NOAB. —

XXX

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

XXX"

Section 6. Section 10 on "The Bureau of Agriculture and Fisheries Product
Standards (BAFPS) of the DA" is hereby amended to read as follows:

"SEC. 10. [The] BUREAU OF AGRICULTURE AND FISHERIES
[PRODUCT] STANDARDS [BAFPS of the DA] (BAFS). The [BAFPS]
BAFS of the DA shall be strengthened and [empowered] SHALL
EMPOWER [in terms of establishing] THE ESTABLISHED functional
divisions] DIVISION FOR ORGANIC AGRICULTURE WHICH SHALL
PERFORM AS THE [and incremental staffing to serve as the national]
technical and administrative secretariat of the NOAB [with the member
agencies providing additional staff support as the need arises]. THE BAFS,
IN ADDITION TO ITS EXISTING FUNCTIONS AND
RESPONSIBILITIES, SHALL PERFORM THE FOLLOWING
FUNCTIONS, DUTIES AND RESPONSIBILITIES FOR PURPOSES
OF THIS ACT:

1. UPDATE THE NOAB ON THE STATUS OF THE PROGRAMS,
PROJECTS AND ACTIVITIES UNDERTAKEN FOR THE
DEVELOPMENT AND PROMOTION OF ORGANIC
AGRICULTURE;
2. FORMULATE AND UPDATE STANDARDS RELEVANT TO
ORGANIC AGRICULTURE;
3. ACCREDIT ORGANIC CERTIFYING BODIES (OCBS) AND CORE
PGS GROUPS;
4. ISSUE REGISTRATION OF ORGANIC AGRICULTURAL,
FISHERY AND INPUTS;
5. RULE ON THE APPEAL OF FARMOWNERS AND CORE PGS
GROUPS ON DECISIONS MADE BY MUNICIPAL OR CITY PGS
GROUPS ON CERTIFICATION ISSUES; AND
6. PERFORM SUCH OTHER FUNCTIONS, DUTIES AND
RESPONSIBILITIES AS MAY BE NECESSARY TO IMPLEMENT
THE PROVISIONS OF THIS ACT, SUBJECT TO THE APPROVAL
OF THE NOAB."

Section 7. A new provision on Participatory Guarantee Systems is hereby
inserted after Section 10 [The Bureau of Agriculture and Fisheries Product Standards
(BAFPS) of the DA] to read as follows:

"SECTION 11. PARTICIPATORY GUARANTEE SYSTEMS (PGS).

A. BASIC PRINCIPLES. THE PGS SHALL BE THE MECHANISM BY
WHICH SMALL FARMERS, FISHERFOLK, THEIR FARMS,
ASSOCIATIONS, COOPERATIVES SHALL BE CERTIFIED AS
ENGAGED IN ORGANIC AGRICULTURE AND AS PRODUCERS
OF ORGANIC AGRICULTURE PRODUCTS.

THE PARTICIPATORY ORGANIC CERTIFICATION FROM
ORGANIC CERTIFYING BODIES, ORGANIZED IN
ACCORDANCE WITH THIS ACT, SHALL BE PROMOTED AND ACCEPTED.

THE PRODUCTS CERTIFIED BY THESE GROUPS SHALL BE TRADED ONLY IN THE DOMESTIC MARKET.

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

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

i. EXISTENCE OF ORGANIC AGRICULTURE NORMS CONCEIVED BY THE ORGANIC AGRICULTURE STAKEHOLDERS; THAT ARE APPROPRIATE TO SMALLHOLDER AGRICULTURE;

ii. GRASSROOTS ORGANIZATION WITH ITS PARTICIPATORY CERTIFICATION A RESULT OF A SOCIAL DYNAMIC, AND BASED ON THE ACTIVE PARTICIPATION OF ALL STAKEHOLDERS;

iii. EXISTENCE OF PRINCIPLES AND VALUES THAT ENHANCE THE LIVELIHOODS AND WELL-BEING OF FARMING FAMILIES AND PROMOTE ORGANIC AGRICULTURE; DOCUMENTED MANAGEMENT SYSTEMS AND PROCEDURES;

iv. PROVISION OF MECHANISMS TO VERIFY FARMER'S COMPLIANCE TO ESTABLISHED NORMS;

v. PROVISION OF MECHANISMS FOR SUPPORTING FARMERS TO PRODUCE ORGANIC PRODUCTS AND BE CERTIFIED AS ORGANIC FARMERS, WHICH SHALL INCLUDE THE SERVICES OF FIELD ADVISORS,
NEWSLETTERS, FARM VISITS, WEB SITES, AMONG OTHERS;

vi. EXISTENCE OF A BOTTOM-LINE DOCUMENT, SUCH AS A FARMER’S PLEDGE, THAT SHALL CONFIRM THE FARMER’S AGREEMENT TO THE ESTABLISHED NORMS;

vii. INTRODUCTION OR USE OF SEALS OR LABELS PROVIDING EVIDENCE OF ORGANIC STATUS; AND

viii. EXISTENCE OF A CLEAR AND PREVIOUSLY DEFINED SET OF RECOMMENDATIONS AND MEASURES AGAINST FARMERS WHO FAIL TO COMPLY WITH STANDARDS.

B. LEGAL PERSONALITY. THERE SHALL BE A CORE PGS GROUP AS THE BASIC UNIT IN THE PGS. THE CORE PGS GROUP SHALL BE REGISTERED WITH THE MUNICIPALITY OR CITY IN WHICH IT OPERATES. IT SHALL SECURE A MAYOR’S PERMIT FROM THE SAID MUNICIPALITY OR CITY, THE POSSESSION OF WHICH SHALL SUFFICE AS PROOF OF REGISTRATION AND THE GRANT OF LEGAL PERSONALITY FOR WHATEVER TRANSACTION IT MAY ENTER INTO.

A NATIONAL ORGANIZATION OF LOCAL GOVERNMENT UNITS (LGUS) ACTUALLY ENGAGED IN ORGANIC AGRICULTURE AND REGISTERED OR ACCREDITED BY A NATIONAL GOVERNMENT AGENCY EMPOWERED TO DO SO, SHALL ALSO ACQUIRE LEGAL PERSONALITY FOR THE PURPOSES OF OFFICIAL ACCREDITATION BY BAFS.

ANY OTHER ORGANIC CERTIFYING BODY SHALL SECURE A MAYOR’S PERMIT FROM THE MUNICIPALITY OR CITY WHERE IT INTENDS TO OPERATE, THE POSSESSION OF WHICH SHALL SUFFICE TO GRANT IT LEGAL PERSONALITY FOR PURPOSES OF RECOGNITION BY BAFS.
C. *CERTIFICATION*. THE BAFS SHALL PROVIDE THE GUIDELINES FOR THE CERTIFICATION OF FARMS, PURSUANT TO THE PROVISIONS OF THIS ACT. A FARM OR FARMOWNER APPLYING FOR CERTIFICATION AS AN ORGANIC AGRICULTURE PRACTITIONER SHALL APPLY WITHIN THE SAME MUNICIPALITY OR CITY. THE DECISION OF THE CORE PGS GROUP OR OF THE ORGANIC CERTIFYING BODY ON SAID APPLICATION FOR CERTIFICATION SHALL BE SUBJECT TO APPEAL: *PROVIDED*, THAT SUCH CERTIFICATION SHALL BE ISSUED IN THE NAME OF THE CORE PGS GROUP OF WHICH THE FARM OR FARMOWNER IS A MEMBER. FURTHER, WITHDRAWAL OF MEMBERSHIP IN SAID CORE PGS GROUP SHALL RESULT IN THE FORFEITURE OF THE PRIVILEGE THE FARM OR FARMOWNER TO USE THE CORE PGS GROUP CERTIFICATE: *PROVIDED* FURTHER, THAT ONLY MINIMAL FEES SHALL BE COLLECTED FOR THE APPLICATION FOR CERTIFICATION.

D. *OFFICIAL ACCREDITATION*. THE BAFS SHALL PROVIDE THE GUIDELINES FOR OFFICIAL ACCREDITATION. A REGISTERED CORE PGS GROUP SHALL APPLY FOR OFFICIAL ACCREDITATION WITH THE BAFS. A CORE PGS GROUP SHALL BE ACCORDED OFFICIAL ACCREDITATION BY THE BAFS ONLY IF IT HAS AT LEAST FIVE (5) MEMBERS, WHO SHALL COME FROM DIFFERENT FARMS IN THE MUNICIPALITY OR CITY THAT ARE ACTUALLY PRACTICING ORGANIC AGRICULTURE.

THE BAFS SHALL ISSUE ITS DECISION ON THE APPLICATION FOR OFFICIAL ACCREDITATION BY A CORE PGS GROUP OR ANY QUALIFIED ENTITY APPLYING FOR ACCREDITATION WITHIN SIXTY WORKING (60) DAYS FROM THE SUBMISSION OF THE COMPLETE REQUIREMENTS, AND
FAILURE TO RENDER DECISION WITHIN SUCH PERIOD SHALL BE UNDERSTOOD AS AN APPROVAL OF THE APPLICATION FOR OFFICIAL ACCREDITATION OF THE PGS/OCB. THE BAFS SHALL NOT CHARGE ANY OFFICIAL ACCREDITATION OR APPLICATION FEES.

E. ORGANIZATIONAL LEVELS.

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

EACH CORE PGS GROUP WILL HAVE THE FOLLOWING DUTIES AND RESPONSIBILITIES:

i. DEVELOP AN UNDERSTANDING OF THE ORGANIC STANDARDS;

ii. ENSURE THAT FARM PRACTICES ARE COMPLIANT WITH THE PHILIPPINE NATIONAL STANDARDS FOR ORGANIC AGRICULTURE;

iii. UNDERTAKE BY WRITTEN STATEMENT THAT THEY UNDERSTAND AND ADHERE TO THE ORGANIC STANDARDS;

iv. CONDUCT INSPECTION AND CERTIFICATION ACTIVITIES OF MEMBER FARMS IN THE MUNICIPALITY/CITY. AT LEAST A MAJORITY OF THE MEMBERS OF THE PGS CORE GROUP WHO
JOINED IN THE ACTUAL INSPECTION AND CERTIFICATION ACTIVITY SHOULD SIGN ON THE TRUTHFULNESS OF THE FINDINGS OF THE INSPECTION AND CERTIFICATION ACTIVITY;

v. RECOMMEND WHICH FARMS WILL BE CERTIFIED;

vi. INITIATE KEY FIELD TRAININGS FOR FARMER-MEMBERS AND RESIDENTS IN THEIR LOCALITY TO PROMOTE ORGANIC AGRICULTURE;

vii. ATTEND MUNICIPAL AND PROVINCIAL PGS MEETINGS AND SHARE INFORMATION WITH OTHER PARTICIPANTS;

viii. TAKE ACTIONS ON DELISTING AND NON-COMPLIANCE AS PER SANCTION GUIDELINES TO BE PROVIDED BY THE BAFFS, ORGANIC CERTIFYING BODIES AND MUNICIPAL OR CITY PGS GROUPS; AND

ix. ASSIST DELISTED AND NON-COMPLIANT MEMBERS TO REGAIN ACTIVE CERTIFICATION STATUS.

2. MUNICIPAL/CITY PGS GROUP. THE MUNICIPAL OR CITY PGS GROUP SHALL BE COMPOSED OF THE FOLLOWING: 1) ONE (1) REPRESENTATIVE FOR EACH CORE PGS GROUP IN THE MUNICIPALITY OR CITY, AND 2) ONE (1) REPRESENTATIVE FROM A REGIONAL AGRICULTURAL STATE UNIVERSITY OR COLLEGE (SUC) OR LOCAL PRIVATE AGRICULTURAL EDUCATIONAL INSTITUTION: PROVIDED, THAT, THERE SHOULD BE AT LEAST TWO (2) CORE PGS GROUPS IN THE MUNICIPALITY OR CITY BEFORE A MUNICIPAL OR CITY PGS GROUP SHALL BE ESTABLISHED.

THE MUNICIPAL OR CITY PGS GROUP SHALL CONDUCT ITS BUSINESS AND AFFAIRS BASED ON THE DECISION OF THE MAJORITY OF MEMBERS PRESENT IN A MEETING, THERE BEING A QUORUM.
THE MUNICIPAL OR CITY PGS GROUP SHALL HAVE THE FOLLOWING POWERS, DUTIES AND RESPONSIBILITIES:

i. TOGETHER WITH THE BAFS, DEVELOP OR UPDATE AND IMPLEMENT THE PARTICIPATORY GUARANTEE SYSTEM, AS PROVIDED IN THIS ACT;

ii. ENSURE THAT FARMER MEMBERS CONTINUE TO COMPLY WITH ALL REQUIREMENTS OF THE APPLICABLE PHILIPPINE NATIONAL STANDARDS (PNS) ON ORGANIC AGRICULTURE AND RELEVANT REGULATORY REQUIREMENTS;

iii. HEAR AND DECIDE ON APPEALS OF THE FARMER MEMBERS ON THE FINDINGS OF THE INVESTIGATION AND CERTIFICATION OF ORGANIC CERTIFYING BODIES. AN ADVERSE DECISION OF THE MUNICIPAL OR CITY PGS GROUP MAY BE BROUGHT TO THE BAFS ON APPEAL. THE BAFS SHALL RULE ON THE APPEAL WITHIN THIRTY (30) DAYS FROM THE FILING THEREOF. FAILURE TO RULE ON SUCH APPEAL SHALL BE CONSIDERED AS A REVERSAL OF THE APPEALED DECISION.

APPEAL WITHIN THIRTY (30) DAYS FROM THE
FILING THEREOF. FAILURE TO RULE ON SUCH
APPEAL SHALL BE CONSIDERED AS A REVERSAL
OF THE APPEALED DECISION;

v. MAINTAIN A REGISTRY OF CORE PGS GROUPS
OPERATING WITHIN ITS AREA OF JURISDICTION,
WHICH SHALL BE FORWARDED TO THE BAFS AT
THE END OF EACH YEAR AND ENTERED INTO THE
LATTER’S NATIONAL DATABASE;

vi. TOGETHER WITH THE ORGANIC CERTIFYING
BODY INVOLVED IN THE INSPECTION AND
CERTIFICATION ACTIVITY, AND IN
COORDINATION WITH THE BAFS, ISSUE
PARTICIPATORY ORGANIC CERTIFICATE AND THE
“PGS GUARANTEED ORGANIC” LABEL OR MARK
TO COMPLIANT SMALL FARMERS AND
FISHERFOLK AND THEIR FARMS, ASSOCIATIONS,
OR COOPERATIVE (FAC); AND

vii. SUBMIT REGULARLY TO THE BAFS A LIST OF
CERTIFIED SMALL FARMERS, FISHERFOLK AND
THEIR FARMS, ASSOCIATIONS AND
COOPERATIVES (FAC).

IN THE MEANTIME THAT A CORE PGS GROUP OR A
MUNICIPAL/CITY PGS, WHICHERSOEVER IS THE CASE,
HAS YET TO BE ESTABLISHED, THE BAFS, IN
COORDINATION WITH THE LOCAL GOVERNMENT
UNIT CONCERNED, SHALL ASSIST SMALL
FARMERS IN THE FORMATION OF THE
MUNICIPALITY/CITY PGS.
3. **PROVINCIAL AND NATIONAL PGS GROUP.** IT SHALL BE THE OPTION OF THE PGS GROUPS TO FORM AGGRUPATIONS AT THE PROVINCIAL AND NATIONAL LEVELS. THEY SHALL RECEIVE THE FINANCIAL AND TECHNICAL ASSISTANCE, SUPPORT AND GUIDANCE OF THE DEPARTMENTS IN THE NOAB AND THE DA-BAFS IN THIS REGARD.


F. **PROMOTION.** THE NOAB SHALL ACTIVELY PROMOTE AND SEARCH FOR ASSOCIATIONS OR GROUPS THAT HAVE BEEN PRACTICING ORGANIC AGRICULTURE FOR OFFICIAL ACCREDITATION AS PGS COMPLIANT IN ACCORDANCE WITH THIS ACT. THE NOAB SHALL ENSURE THAT EACH PROVINCE IN THE COUNTRY HAS A PGS. EVERY PGS SHALL CONDUCT TRAININGS AND PROMOTE ORGANIC AGRICULTURE.

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

H. **INCENTIVES.** ANY SMALL FARMER, FISHERFOLK OR THEIR FARMS, ASSOCIATIONS, COOPERATIVES ENGAGED IN ORGANIC AGRICULTURE, OR ANY ORGANIC INPUT PRODUCER
WHO INTENDS TO APPLY FOR EXPORT SHALL BE GIVEN SUPPORT FOR THIRD PARTY OR INTERNATIONAL CERTIFICATION ACCREDITATION. INCENTIVES SUCH AS POST-HARVEST FACILITIES, FREE PRIME LOCATION IN ANY GOVERNMENT AGENCY-INITIATED OR SPONSORED TRADE AND BUSINESS MARKETING, GATHERING OF FILIPINO PRODUCTS FOR THE PURPOSE OF DISPLAYING AND SELLING THEIR OWN ORGANIC PRODUCTS, MARKET SUPPORT AND TRADING POST ESTABLISHMENT, ASSISTANCE IN TRANSPORTATION AND LOGISTICS, PROVISION OF ORGANIC SEEDS AND INPUTS, SHALL BE GIVEN TO SMALL FARMERS FOCUSING ON LOCAL DOMESTIC MARKETS.

Section 8. Section 11 of Republic Act No. 10068 is hereby repealed and a new Section 12 is hereby inserted, to read as follows:

"[SEC. 11. Functions, Duties and Responsibilities of the BAFPS. — The BAFPS, in addition to its existing functions and responsibilities shall perform the following functions, duties and responsibilities for purposes of this Act:

(a) Implement organic agriculture programs and projects approved by the NOAB;

(b) Update the NOAB on the status of the programs, projects and activities undertaken for the development and promotion of organic agriculture;

(c) Create effective networking with the various stakeholders involved in organic production; and

(d) Perform such other functions, duties and responsibilities as may be necessary to implement this Act and as directed by the NOAB.]

Section 9. Section 16 of Republic Act No. 10068 is hereby repealed and a new section is inserted, to read as follows:

"[SEC. 16. Registration of Organic Food and Organic Input Producers. — All organic food and input establishments must register with the director, BAFPS, registration under this section shall begin within ninety (90) days of the enactment of this Act. Each such registration shall be submitted to the director through an electronic portal and shall contain such information as the director by guidance may determine to be appropriate. Such registration shall contain the following information:

(a) The name, address and emergency contact information of each organic food or input establishment that the registrant owns or operates;

(b) The primary purpose and business activity of each organic food or input establishment, including the dates of operation if the organic food establishment is seasonal;

(c) A list of the organic food or input produced and corresponding brand names;

(d) For organic food establishment, the name, address and contact information of the organic food certifying body that certified the organic products sold by the company;

(e) An assurance that the registrant will notify the director of any change in the products, function or legal status of the domestic food establishment (including cessation of business activities) not later than thirty (30) days after such change; and

(f) For organic input producers, a list of materials used in the production of each particular input.]

SEC. 17. REGISTRATION OF ORGANIC PRODUCE AND INPUTS AND ORGANIC PROCESSED FOOD. THE BAFS SHALL BE RESPONSIBLE FOR THE REGISTRATION OF CERTIFIED ORGANIC AGRICULTURE, FISHERY AND INPUT PRODUCTS, AND REGISTRY OF ORGANIC PRODUCERS.
FURTHER, THE BUREAU OF ANIMAL INDUSTRY (BAI) OF THE DA SHALL BE RESPONSIBLE FOR THE REGISTRATION OF ORGANIC BEES, LIVESTOCK AND POULTRY AND ITS FEEDS.

THE BUREAU OF FISHERIES AND AQUATIC RESOURCES (BFAR) OF THE DA SHALL BE RESPONSIBLE FOR THE REGISTRATION OF ORGANIC FISHERIES AND AQUACULTURE RESOURCES AND ORGANIC AQUACULTURE FEEDS.

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

ADDITIONALLY, THE DA-BUREAU OF PLANT INDUSTRY AND LOCAL GOVERNMENT UNIT SHALL FACILITATE AND COORDINATE THE CREATION AND/OR STRENGTHENING OF A LOCAL ORGANIC SEED CENTER NEEDED TO INCREASE FARMERS' ADOPTION TO ORGANIC AGRICULTURE.

THE FOOD AND DRUG ADMINISTRATION (FDA) OF THE DOH SHALL BE RESPONSIBLE FOR THE PRODUCT REGISTRATION OF ORGANIC PROCESSED FOOD. IT SHALL FORMULATE ITS RULES AND REGULATIONS FOR THE REGISTRATION OF ORGANIC PRE-PACKAGED AND PROCESSED FOOD."

Section 10. Section 17 of Republic Act No. 10068 is hereby amended and renumbered, to read as follows:

"SEC. [47] 18. Labeling of Organic Produce. The label of organic produce shall contain the name, logo or seal of the organic certifying body and the OFFICIAL accreditation number issued by the [BAFPS] BAFS. [Only third-party certification is allowed to be labeled as organically produced.]

THE ORGANIC LABEL OR MARK SHALL ALSO INCLUDE THE TRADE NAME, AS DEFINED BY PERTINENT DOMESTIC
PROPERTY RIGHTS LAWS, AND THE ADDRESS OF ORIGIN OF 
THE PRODUCE.

PRODUCTS FROM CERTIFIED THIRD-PARTY ORGANIC 
PRODUCTION SYSTEMS, INCLUDING THOSE WITH 
CERTIFICATION FROM THE OCB AND PGS, SHALL BE 
ALLOWED TO BE LABELLED AND SOLD AS ORGANIC.”

Section 11. Section 14 of Republic Act No. 10068 is hereby amended and 
renumbered, to read as follows:

“SEC. 14. Local Executive Committees. Every provincial governor 
shall, insofar as practicable, form a provincial technical committee, and which 
shall, in coordination with and assistance of the BAFS [BAFPS]/DA-Regional 
Field Units (RFUs) implement activities in line with the National Organic 
Agricultural Program within each province.

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

A local government unit that intends to shift its area of responsibility to 
organic agriculture must ensure that local industries have been adequately 
informed and consulted and that a viable plan to ensure supply for vulnerable 
industries is in place.

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

The governors shall monitor implementation of and compliance with 
this Act within their respective jurisdictions.”
Section 12. Section 19 of Republic Act No. 10068 is hereby repealed and a
new section is inserted, to read as follows:

"SEC. 20. MARKET DEVELOPMENT AND TRADE
PROMOTION.

THE NOAB OF THE DA, IN COLLABORATION WITH OTHER
RELEVANT AGENCIES, SHALL DEVELOP AND IMPLEMENT
MARKET DEVELOPMENT AND TRADE PROMOTION PROGRAMS
FOR ORGANIC AGRICULTURE."

Section 13. Section 26 is hereby amended and renumbered, to read as follows:

"SEC. [26] 27. Penal Provision AND OTHER PENALTIES. Any
person who willfully and deliberately:

(a) obstructs the development of propagation of organic agriculture,
or the manufacture, production, sale or use of organic agricultural
products; THIS MAY INCLUDE ANY FORM OF
HARASSMENT OR PERSECUTION OF GROUPS OR
INDIVIDUALS PURSUING THE RIGHTS AND
INTERESTS OF FARMER IN FURTHERANCE OF THIS
ACT BY GROUPS OR INDIVIDUALS, CORPORATIONS
OR JURIDICAL ENTITIES, INCLUDING GOVERNMENT
OFFICIALS AS MAY BE WARRANTED BY EXISTING
CRIMINAL AND ADMINISTRATIVE LAWS AND
REGULATIONS.

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

1. FIRST OFFENSE. WRITTEN WARNING.
2. SECOND OFFENSE. SUSPENSION OF OFFICIAL ACCREDITATION."

Section 14. Succeeding sections are hereby renumbered accordingly.

Section 15. *IMPLEMENTING RULES AND REGULATIONS. THE NOAB SHALL ADOPT RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS ACT WITHIN SIXTY (60) DAYS FROM THE EFFECTIVITY OF THIS ACT.*

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

Section 17. *Repealing Clause.* All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

Section 18. *Effectivity.* This Act shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation or in the Official Gazette, whichever comes first.

Approved.