

[PRESIDENTIAL DECREE NO. 135, February 22, 1973]

CREATING THE FERTILIZER INDUSTRY AUTHORITY

WHEREAS, fertilizer is a vital input to food production and must therefore be supplied inadequate quantities at the lowest possible cost;

WHEREAS, world fertilizer prices have increased drastically in recent months;

WHEREAS, the domestic fertilizer market has elements of disorganization leading to higher distribution costs;

WHEREAS, there is a need to insure the viability of the fertilizer industry in which the Government has substantial financial interests;

WHEREAS, the national interest demands the maximum production utilization of all installed fertilizer production capacity in the country and the rationalization of all fertilizer importations of the industry; and

WHEREAS, the objectives for the fertilizer industry can be most expeditiously accomplished through greater government participation and control through a centralized government authority;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby create the Fertilizer Industry Authority to regulate, control and develop the fertilizer industry in the Philippines with the end in view of assuring the agricultural sector of adequate fertilizer supply at the lowest possible cost.

SECTION 1. The Fertilizer Industry Authority, which shall have jurisdiction overall existing and potential manufacturers and suppliers of fertilizer and fertilizer inputs, shall have the following functions:

1. To control and regulate the prices, terms, mark-ups, distribution channels, promotion, storage and other marketing factors in the domestic fertilizer market;
2. To establish and implement regulations governing the import and export of fertilizer inputs, and when necessary, to itself import and/or export such items;
3. To control and regulate all aspects of domestic fertilizer production, including the utilization of idle capacity and the orderly expansion of the industry;
4. To control and assist in the financing of the importation of fertilizer and fertilizer inputs, of production, or inventory and working capital, and of the expansion of the industry; and
5. To do all such things as may be necessary to maintain an adequate supply of fertilizers to the domestic market at reasonable prices while maintaining the long-term viability of the industry.

SEC. 2. The Fertilizer Industry Authority shall be composed of the following officials or their representatives:

1. Secretary of Agriculture and Natural Resources, Chairman