

[ **REPUBLIC ACT NO. 10068, April 06, 2010** ]

**AN ACT PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF ORGANIC AGRICULTURE IN THE PHILIPPINES AND FOR OTHER PURPOSES**

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

SECTION 1. *Title.* — This Act shall be known as the "Organic Agriculture Act of 2010".

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 agriculture in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm productivity, 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. 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 and other farm inputs, together with a nationwide educational and promotional campaign for their use and processing, as well as the adoption of organic agricultural system as a viable alternative shall be undertaken.

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

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

- a. *Organic* refers to the particular farming and processing systems, described in the standards and not in the classical chemical sense. The term "organic" is synonymous in other languages to "biological" or "ecological". It is also a labeling term that denotes products considered organic based on the Philippine National Standards for organic agriculture.
- b. *Organic agriculture* includes all agricultural systems that promote the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agriculture dramatically reduces external inputs by refraining from the use of chemical fertilizers, pesticides and pharmaceuticals. It also covers areas such as, but not limited to, soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without destroying the soil and harming farmers, consumers and the

environment as defined by the International Federation of Organic Agriculture Movement (IFOAM); *Provided*, That the biotechnology herein referred to shall not include genetically modified organisms or GMOs.

c. *Organic production system* is a system designed to:

1. enhance biological diversity within the whole system;
2. increase solid biological activity;
3. maintain long-term soil fertility;
4. recycle wastes of plant and animal origin in order to return nutrients to the land, thus minimizing the use of nonrenewable resources;
5. rely on renewable resources in locally organized agricultural systems;
6. promote the healthy use of soil, water and air as well as minimize all forms of pollution thereto that may result from agricultural practices;
7. develop and promote the use of biotechnology in agriculture;
8. handle agricultural products with emphasis on careful processing methods in order to maintain the organic integrity and vital qualities of the product at all stages; and
9. become established on any existing farm through a period of conversion, the appropriate length of which is determined by site-specific factors such as the history of the land, and type of crops and livestock to be produced.

d. *Conversion period* refers to the time between the start of the organic management and the certification of crops, animal husbandry or aquaculture products as organic.

e. *Biodegradable wastes* refer to organic matter for compost/ organic fertilizer for the organic cultivation, farming of food crops and include discards segregated farm nonbiodegradable wastes coming from the kitchen/household (leftovers, vegetables and fruit peelings and trims, fish/fowl cleanings, seeds, bones, soft paper used as food wrap and the like), yard or garden (leaves, grasses, weeds and twigs), market (wilted, decayed or rotten vegetables and fruits, fish/fowl cleanings, bones) and farm wastes (grass clippings, dead or decayed plants, leaves, fruits, vegetables, branches, twigs and the like).

f. *Ecologically-sound* refers to a state, quality or condition of a product, practice, system, development mode, culture, environment and the like, in accord with the 1987 Philippine Constitution, and as expounded in the above definition of organic agriculture.

g. *Commercialization* is a process of introducing a new agricultural and fishery technology either as product, process or service that has undergone the intensive innovative activities of assessment, promotion and transfer for economic benefit,

h. *Certification* is the procedure by which official certification bodies or officially recognized certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements.

i. *Accreditation* is the procedure by which a government agency having jurisdiction formally recognizes the competence of an inspection and/or certification body to provide inspection and certification services.

j. *First party certification* is defined as when the certification criteria and rules are set and monitored/enforced by the producer or company itself.

- k. *Second party certification* is defined as when the certification criteria and rules are set by buyers or industry organizations.
- l. *Third party certification or independent certification* is defined as when a firm requires that its suppliers meet a certain standard and requests an independent organization that is not involved in the business relationship to control the compliance of the suppliers.
- m. *Organic food establishment* refers to an entity, whether local or foreign, that produces fresh or processed organic food.
- n. *Organic input establishment* refers to an entity, whether local or foreign, that produces inputs acceptable for organic agriculture.

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:

- a. Policy formulation on regulation, registration, accreditation, certification and labeling on organic agriculture;
- b. Research, development and extension of appropriate, sustainable environment and gender-friendly organic agriculture;
- 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 and other appropriate farm inputs; and
- d. Implementation of organic agricultural programs, projects and activities, including the provision and delivery of support services with focus on the farmers and other stakeholders.

SEC. 5. *National Organic Agricultural Program.* — There is hereby established a comprehensive organic agricultural program through the promotion and commercialization of organic farming practices, cultivation and adoption of production and processing methods which have already been developed, or to be developed, continuing research and up grading thereof, the capacity building of farmers and the education of consumers thereon, the extension of assistance to local government units (LGUs), peoples' organizations (POs), nongovernment organizations (NGOs) and other stakeholders including individuals and groups who are practicing and promoting these methods as well as those who are willing to do other pertinent activities, and documentation and evaluation of the program.

SEC. 6. *National Organic Agricultural Board (NOAB).* — To carry out the policy and the program provided in this Act, there is hereby created a NOAB which shall be the policy-making body and shall provide direction and general guidelines for the implementation of the National Organic Agricultural Program. The NOAB shall be attached to the Department of Agriculture (DA).

The NOAB shall ensure the full participation of POs, NGOs and the general public through coordination and consultative mechanisms such as, but not limited to, public hearings, meetings and joint projects.

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;
- b. The Secretary of the Interior and Local Government, or his duly authorized permanent representative, as Vice Chair;
- c. The Secretary of Science and Technology, or his duly authorized permanent representative;
- d. The Secretary of Environment and Natural Resources, or his duly authorized permanent representative;
- e. The Secretary of Education, or his duly authorized permanent representative;
- f. The Secretary of Agrarian Reform, or his duly authorized permanent representative;
- g. The Secretary of Trade and Industry, or his duly authorized permanent representative;
- h. The Secretary of Health, or his duly authorized permanent representative; (i) Three (3) representatives from the small farmers; and
- i. A representative each from the NGOs involved in sustainable agriculture for at least three (3) years; agricultural colleges and universities; and private sector or agribusiness firms; as members.

The designated aforementioned representatives of the various departments shall be occupying positions not lower than a bureau director level and shall be on a coterminous basis.

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 to the agency concerned by their respective national organizations. These representatives must be conversant in organic agriculture and committed to the policies and programs provided under this Act.

The existing National Organic Agriculture Board created pursuant to Executive Order No. 481 shall continue to function until the new NOAB created herein has been constituted pursuant to Section 8 hereof.

**SEC. 8. *Organization of the NOAB.*** — Within sixty (60) working days from the effectivity of this Act, the national organizations of small farmers, of NGOs and of agricultural colleges and universities shall submit their respective nominees to the Secretary of Agriculture and the Secretary of Science and Technology, as the case may be, who shall evaluate the qualifications of the nominees and appoint the most qualified members to the NOAB.

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 NOAB shall also determine its budget, including travel expenses, allowances and *per diems* of its nongovernment members when attending official NOAB meetings or attending to matters assigned to them subject to accounting and auditing rules and regulations.

SEC. 9. *Powers and Functions of the NOAB.* — The NOAB shall have the following powers and functions:

- a. Formulate policies, plans, programs and projects to develop and promote organic agriculture, production, processing and trade;
- b. Oversee the successful implementation of the National Organic Agricultural Program;
- c. Identify sources of financing to expand organic agriculture;
- d. Monitor and evaluate the performance of programs for appropriate incentives;
- e. Undertake measures for the international recognition of local certification of organic products;
- f. Call upon any government agency to carry out and implement programs and projects identified by the NOAB;
- g. Call upon private sectors, POs and NGOs and the academe to provide advice on matters pertaining to organic agriculture and conduct of capability-building initiatives to farmers, producers, extension workers, consumers and other stakeholders in agriculture sector in coordination with the Agricultural Training Institute;
- h. Submit annual and other periodic reports to the President, Secretary of the DA and Congress of the Philippines through the Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM);
- i. Promulgate such rules and regulations and exercise such other powers and functions as may be necessary to carry out effectively the purposes and objectives of this Act; and
- j. Perform such other functions as may be necessary for its effective operations and for the continued enhancement, growth or development of organic agriculture.

SEC. 10. *The Bureau of Agriculture and Fisheries Product Standards (BAFPS) of the DA.* — The BAFPS of the DA shall be strengthened and empowered in terms of establishing functional divisions 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.

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.

SEC. 12. *Work Plan.* — In line with the National Organic Agricultural Program, the BAFPS shall submit to the Board for approval the following;