

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 1637



Introduced by **HON. JUAN MIGUEL F. ZUBIRI**

EXPLANATORY NOTE

The use of pesticides, insecticides, and other agricultural chemicals in our farms has proved not only to be hazardous to health but counter-productive in the long run. Chemical-intensive farming alters soil composition and increases its acidity thus resulting in low fat yields, pollution, and environmental destruction.

This Act seeks to check the ill effects of chemical farming through the promotion of "bio-organic farming", an agricultural production system that relies on biological means of conditioning supervision of a Bio-organic Farming Commission. This Commission is envisioned to propagate bio-organic cultivation and production methods among the farmers and encourage research and development in this fields of agricultural production. Corollary, it is intended to aid in solving problems related to industrial waste and community garbage disposal.

Passage of this bill is earnestly sought.



JUAN MIGUEL F. ZUBIRI

Representative, 3rd District, Bukidnon

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AN ACT
PROVIDING FOR THE PROMOTION OF BIO-ORGANIC FARMING IN THE
PHILIPPINES

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

SECTION 1. Declaration of Policy. - It is hereby declared the policy of the State to promote, propagate and assist the practice of bio-organic farming in the Philippines that will cumulatively condition and enrich the fertility of the soil, increase farm yields, reduce pollution and destruction of the environment, prevent the depletion of natural resources, and save on imported farm inputs. Towards this end, a comprehensive program for the production and distribution of bio-organic fertilizers, pesticides and other farm inputs, together with a nationwide educational and promotional campaign for their use and manufacture, shall be undertaken. The State will recognize and support the central role of the people at the grassroots in this program.

SECTION 2. Bio-organic Farming. - As used in this Act, the term "bio-organic farming" means an agricultural production system which primarily relies on biological means of conditioning and enriching the soil, and controlling pests, such as but not limited to the use of beneficial organisms, the utilization of plant and animal wastes through composting, crop rotation, intercropping, multiple cropping, and the adoption of integrated pest management (IPM) or pesticide-free community ecology approaches to pest management; and which minimizes the use of chemical or inorganic farm inputs, pesticides, weedicides, and feed additives. It also covers areas, such as but not limited to, soil fertility management, varietal breeding and selection and other cultural practices that enhance productivity without destroying the soil and harming farmers, consumers, and the environment.

SECTION 3. Program. - There is thereby established a comprehensive bio-organic farming program through the propagation of bio-organic cultivation and production methods which have already been developed, continuing research and upgrading thereof, the education of more and more farmers thereon, the extension of assistance to individuals and groups who are practicing and promoting these methods as well as those who are willing to do so, other pertinent activities, and documentation and evaluation of the program. The Department of Agriculture (DA) shall take the lead role, supported by all service agencies in their respective areas of concern.

SECTION 4. Bio-Organic Farming Commission. - To carry out the policy and the program provided in this Act, there is hereby created a Bio-Organic Farming Commission (BOFC). The BOFC shall have a juridical personality and shall consist of a Board of Commissioners (hereinafter referred to as the Board) which shall provide the direction and general guidelines for the program, with an Extensive Directorate which shall implement the program in its various aspects in accordance with the direction and guidelines of the Board. The various government departments and agencies and the officials thereof named in this Act, in collaboration with private individuals and groups also herein named, are hereby directed to align and intensify their activities with the program of the BOFC.

The BOFC shall ensure the full participation of people's organizations (POs), nongovernment organizations (NGOs), and the general public through mechanisms, such as but not limited to, public hearings, meetings, and joint projects.

SECTION 5. The Board. - Aside from providing the direction and general guidelines for the program, the Board shall supervise its implementation and shall exercise all the powers not otherwise conferred on other bodies and individuals under this Act. The Board shall decide issues which cannot be resolved at the lower levels of the BOFC. The Chairman of the Board shall be the spokesman of the BOFC.

SECTION 6. Composition of the Board. - The Board shall consist of:

- a) The Secretary of Agriculture, or his representative, as chairman;
- b) The Secretaries (or their representatives) of the Departments of Science and Technology, Environment and Natural Resources, Education, and the Interior and Local Government;
- c) A representative each from the small farmers, nongovernment organizations (NGOs) involved in sustainable agriculture for at least three (3) years agricultural colleges and universities, and private sector or agri-business firms, members.

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. They shall be conversant with bio-organic farming and committed to the policies and programs provided under this Act.

SECTION 7. Organization of the Board. - 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 of the Board.

The Chairman shall call the members of the Board, 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 Board shall constitute a quorum.

The Board shall also determine its budget, including travel expenses, allowances and *per diems* of its nongovernment members when attending official Board meetings or attending to matters assigned to them, and costs of office space, equipment and supplies.

The Board may appoint full-time assistants, secretaries, and other employees.

SECTION 8. Executive Directorate. - The Executive Directorate, hereinafter referred to as the Directorate, shall be headed by a full-time Executive Director and an Assistant Executive Director who shall be appointed by the President not later than thirty (30) working days after the Board's organizational meeting. The Executive Director shall orchestrate the multi-agency-based program implementing activities, in accordance with the direction and guidelines of the Board. In case the Executive Director is incapacitated, or is absent in such a way that he cannot perform his duties or some of them, the Assistant Executive Director shall perform such duties and exercise the corresponding authority. The former may assign some of his tasks to the latter.

The Executive Director and the Assistant Executive Director shall be assisted by the members of the Directorate, who shall be composed of the following public officials and representatives of private groups, and who are hereby directed to extend full support and cooperation:

- a. The Director, Bureau of Soils and Water Management, DA;
- b. The Director, Bureau of Plant and Industry, DA;
- c. The Director, Institute of Bio-technology and Micro-biology, UPLB;

- d. The Director, Agricultural Training Institute, DA;
- e. The Director, Bureau of Agricultural Research, DA;
- f. The Executive Director, Fertilizer and Pesticide Authority (FPA);
- g. A representative, to be designated by the Secretary of the Department of Science and Technology;
- h. A representative, to be designated by the Secretary of the Department of Environment and Natural Resources (DENR);
- i. A representative, to be designated by the Secretary of the Department of Interior and Local Government (DILG);
- j. The Executive Director, Philippine Council for Agriculture, Forestry and Natural Resources Research and Development (PCARRD);
- k. A representative of the Organic Fertilizer Manufacturers Association (OERMANA);
- l. A representative of the Sustainable Agriculture Coalition (SAC);
- m. Two (2) representatives of state and private agricultural colleges and universities, to be chosen from among the nominees of national organizations of said colleges and universities; and
- n. Two (2) representatives of small farmers, to be chosen by the Secretary of Agriculture among the nominees of national organizations of small farmers.

All the members and representatives in the Executive Directorate shall be conversant with bio-organic farming and committed to the policies and program provided under this Act.

The Executive Director is hereby empowered to call upon any government agency for assistance in the performance of his tasks. He shall initiate the proper criminal and/or administrative action under the Penal Provisions (Section 15) of this Act.

The DA and the DOST shall jointly provide an office and staff for the Directorate.

The salary and allowances of the Executive Director and the members and staff of the Directorate shall be in accordance with the Revised Compensation and Position Classification System.

SECTION 9. Apportionment of Tasks. - The Executive Director shall apportion and coordinate the tasks embraced by the program provided in this Act among the various members of the Directorate according to their field(s) of specialization. Such tasks shall include, but not limited to, research, education, extension, training of farmers, training of trainers including the giving or acquisition of scholarships and observation grants here and abroad, pesticide-free IPM, small-scale and commercial production of organic farm inputs, and accreditation system to insure their quality, and sustained promotional campaigns. The members of the Directorate shall at all times observe cooperation with one another, complement and/or supplement each other's tasks, and involve their offices and/or organizations in the accomplishment of such tasks.

SECTION 10. Work Plan. - Within sixty (60) working days after assuming office and after the first organizational meeting of the Directorate, the Executive Director shall submit for consideration by the Executive Directorate, which shall in turn submit with its recommendations to the Board for final approval, the following:

- a) A report on the setting up and organization of the Directorate and staff;
- b) A scheme of distribution and complementation of functions among the members of the Directorate;
- c) A plan of bringing the program down to the grassroots, utilizing available personnel and facilities on the local level and those of local government units;
- d) A pattern of cooperation and mutual assistance with local government units, POs and NGOs, which will maximize people empowerment and participatory approaches to program formulation, implementation and monitoring; and
- e) A schedule of short-term, medium-term, and long-term targets.

SECTION 11. Bio-Organic Farming and Protection of the Environment. - The BOFC shall constantly devise and implement ways and means not only of producing bio-organic fertilizers and other farm inputs and needs on and off the farm but also of helping to alleviate the problems of industrial waste and community garbage disposal through appropriate methods of sorting, collection and composting.

The Executive Director shall conduct continuing studies, with consultations among the people and officials involved as well as POs and NGOs, in order to advise local governments, from the barangay to the provincial level, on the collection and disposal of garbage and waste in such a way as to provide raw materials for the production of organic fertilizer and other farm inputs.

SECTION 12. Incentives. - The government shall extend incentives for the manufacture and propagation of bio-organic farm inputs by maximizing their use in all government and government-supported agricultural production, research and demonstration programs. The DA, DOST, DILG, DTI, Land Bank, and other government lending and non-lending institutions shall also assist organic input producers through the provision of adequate financial, technical, marketing, and other services and resources.

SECTION 13. Local Executive Committees. - Every provincial governor shall, in so far as practicable, form a provincial counterpart of the Executive Directorate, to be called the provincial executive committee, and which shall operate within his province in coordination and mutual assistance with the national executive directorate, pursuant to national policies and under the supervision of the Executive Director.

The governor shall see to it that the municipal mayors and barangay chairmen will do the same within the area of their respective jurisdiction.

SECTION 14. Appropriations. - The amount necessary to carry out provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

At least seventy-five percent (75%) of the BOFC's budget shall be allowed for holistic and integrated scientific research, information, education, establishing bio-organic farm models in every legislative district, and training of farmers and demonstrations on the farm level, including the provision of full-time bio-farming extension workers who will work with farmers' associations and cooperatives, POs, NGOs, barangay assemblies, rural communities and other groups. The BOFC is hereby empowered to solicit and accept assistance from individuals and entities here and abroad, and to utilize these funds and resources for purposes of this Act subject to the usual budget, accounting and auditing rules and regulations.

SECTION 15. Penal Provisions. - Any person who willfully and deliberately obstructs the development or propagation of bio-organic farming, or the manufacture or propagation, sale or use of bio-organic agricultural inputs, any person in the government service who willfully and deliberately refuses without just cause to extend the support and assistance required under Section 8 of this Act shall, upon conviction, be punished by imprisonment of not less than one (1) year nor more than six (6) years, or a fine of not less than Fifty thousand pesos (P50,000.00) or both, at the discretion of the court.

If the offender is a corporation of 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.

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

SECTION 17. Repealing Clause. - All laws, decrees, orders, rules and regulations, and issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 18. Effectivity. - This Act shall take effect immediately following its publication in a newspaper of general circulation or in the Official Gazette whichever comes first.

Approved,