

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9669



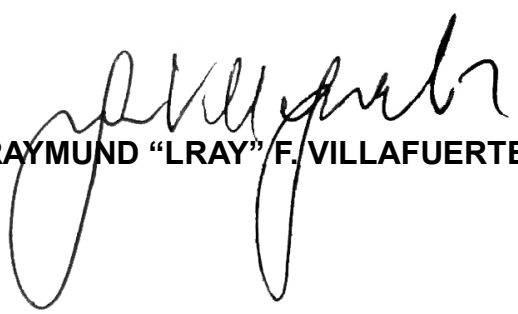
Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

**AN ACT
TO SUPPORT THE STRENGTHENING OF THE LOCAL SWINE INDUSTRY,
CREATING FOR THE PURPOSE THE SWINE COMPETITIVENESS
ENHANCEMENT FUND, FURTHER AMENDING REPUBLIC ACT NO. 8178, AS
AMENDED, AND FOR OTHER PURPOSES**

The failure to control the African Swine Fever (ASF) for over two years now has severely affected the supply of pork that resulted in high prices. This proposed measure seeks to create the Swine Competitiveness Enhancement Fund (SCEF) to be funded out of all the duties collected from the importation of swine meat to help curtail the further spread of the ASF and contribute to the recovery of the industry.

The SCEF shall be utilized for the eradication of the ASF, subsidies for the transport of hogs and pork from producing areas to pork-consuming markets, swine sector development and repopulation, credit assistance to hog raisers, and insurance fund for hog raisers affected by the culling of infected hogs.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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

SECTION 1. *Short Title.* – This Act shall be known as the "Affordable Pork Act of 2021."

SEC. 2. Section 12 of Republic Act (R.A.) No. 8178, otherwise known as the "Agricultural Tariffication Act", as amended, is hereby further amended to read as follows:

"SEC. 12. *Agricultural Competitiveness Enhancement Fund.* - To implement the policy enunciated in this Act, there is hereby created the Agricultural Competitiveness Enhancement Fund, herein referred to as the Fund. The Fund shall consist of all duties collected from the importation of agricultural products, except rice AND SWINE MEAT, under the MAV mechanism, including unused balances and collections from repayments from loan beneficiaries including interests, if any. The Fund shall be automatically credited to Special Account 183 in the General Fund of the National Treasury: *Provided, That* fund releases shall not be subject to any ceiling by the Department of Budget and Management (DBM).

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SEC. 3. A new section 16 is hereby inserted after Section 15 of the same Act, as amended, to read as follows:

"SEC. 16. *SWINE COMPETITIVENESS ENHANCEMENT FUND.* – THERE IS HEREBY CREATED A SWINE COMPETITIVENESS ENHANCEMENT FUND, HEREIN REFERRED TO AS THE SCEF. THE

SCEF SHALL CONSIST OF ALL DUTIES COLLECTED FROM THE IMPORTATION OF SWINE MEAT FOR THE NEXT SIX (6) YEARS AND SHALL BE AUTOMATICALLY CREDITED TO A SPECIAL ACCOUNT IN THE GENERAL FUND OF THE NATIONAL TREASURY, WHICH SHALL BE IN PLACE WITHIN NINETY (90) DAYS UPON THE EFFECTIVITY OF THIS ACT.

THE SECRETARY OF AGRICULTURE SHALL BE ACCOUNTABLE AND RESPONSIBLE FOR THE SCEF IN COORDINATION WITH OTHER GOVERNMENT AGENCIES CONCERNED. THE DEPARTMENT OF AGRICULTURE (DA) AND OTHER PERTINENT AGENCIES SHALL SUBMIT AN ANNUAL REPORT CONTAINING, INTER ALIA, THE STATUS OF THE SCEF AND AN IMPACT ASSESSMENT OF THE PROGRAMS IMPLEMENTED UNDER THIS ACT TO THE COCAFAM. THE COCAFAM SHALL CONDUCT A PERIODIC REVIEW OF THE USE OF THE SCEF AS NECESSARY.

AT THE END OF THE FIFTH (5th) YEAR, A MANDATORY REVIEW SHALL BE CONDUCTED BY THE COCAFAM TO DETERMINE WHETHER THE SCEF AND ITS USE AS PROVIDED FOR UNDER THIS ACT SHALL BE AMENDED, TERMINATED, OR EXTENDED. ANY REMAINING BALANCE AT THE DATE OF EXPIRATION OF COLLECTION OF DUTIES FOR THE SCEF SHALL REMAIN IN THE SPECIAL ACCOUNT AND SHALL CONTINUE TO BE USED FOR THE PURPOSE FOR WHICH IT WAS COLLECTED AND SET ASIDE. THE COCAFAM SHALL UTILIZE THE INCREASE OR DECREASE IN HOG RAISERS' INCOMES AS A PRIMARY BENCHMARK IN DETERMINING THE EFFECTIVENESS OF THE INTERVENTIONS UNDER THE PROGRAM AND ITS POSSIBLE EXTENSION.

SUBJECT TO THE USUAL ACCOUNTING AND AUDITING RULES AND REGULATIONS, THE SCEF SHALL BE ALLOCATED AND DISBURSED TO PORK PRODUCING AREAS, AS FOLLOWS:

- (A) AFRICAN SWINE FEVER (ASF) PREVENTION PROGRAMS, INCLUDING VACCINATION AND THE BANTAY ASF SA BARANGAY PROGRAM;
- (B) SUBSIDIES FOR TRANSPORTATION AND FREIGHT COST OF HOGS AND PORK;
- (C) SWINE SECTOR DEVELOPMENT, PROPAGATION AND PROMOTION, INCLUDING THE INTEGRATED NATIONAL SWINE PRODUCTION INITIATIVES FOR RECOVERY AND EXPANSION (INSPIRE);
- (D) CREDIT ASSISTANCE, WHICH SHALL BE MADE AVAILABLE IN THE FORM OF CREDIT FACILITY WITH MINIMAL INTEREST RATES AND WITH MINIMUM COLLATERAL REQUIREMENTS TO HOG RAISERS AND COOPERATIVES, TO BE MANAGED EQUALLY BY THE AGRICULTURAL CREDIT POLICY COUNCIL (ACPC), THE LAND BANK OF THE PHILIPPINES (LBP) AND THE DEVELOPMENT BANK OF THE PHILIPPINES (DBP); AND
- (E) INSURANCE PROGRAM FOR CULLED HOGS TO BE

ADMINISTERED BY THE PHILIPPINE CROP INSURANCE CORPORATION (PCIC)."

SEC. 4. A new Section 17 is hereby inserted in the same Act, to read as follows:

"SEC. 17. DATA COLLECTION AND SHARING REGIME ON AGRICULTURAL PRODUCTS. – TO ENSURE THE TIMELY AND ACCURATE COLLECTION AND DISSEMINATION OF STATISTICS AND INFORMATION ON AGRICULTURAL PRODUCTS, THE DA, PHILIPPINE STATISTICS AUTHORITY (PSA), BUREAU OF CUSTOMS (BOC), AND AGRICULTURAL PRODUCERS SHALL COORDINATE ON THE GENERATION AND VALIDATION, AND CONTINUOUSLY SHARE DATA ON THE PRODUCTION, IMPORTATION, EXPORTATION AND CONSUMPTION OF AGRICULTURAL PRODUCTS, THE IMPORTATION AND EXPORTATION OF WHICH WERE LIBERALIZED.

IN ORDER TO FACILITATE THE INVESTIGATION AND PROSECUTION OF CASES OF ANTI-COMPETITIVE BEHAVIOR ON, INCLUDING PRICE MANIPULATION OF, AGRICULTURAL PRODUCTS, THE DA AND THE BOC ARE HEREBY MANDATED TO PROVIDE THE PHILIPPINE COMPETITION COMMISSION (PCC) AND THE PRICE COORDINATING COUNCIL OPEN AND TIMELY ACCESS TO RELEVANT DATA ON PRICES, MARKET SHARES, SUPPLY CHAIN, AND OTHER INFORMATION NECESSARY FOR THE PERFORMANCE OF THEIR FUNCTIONS.

FAILURE BY ANY STAFF OR OFFICER OF THE DA OR THE BOC TO PROVIDE SUCH PERTINENT INFORMATION TO THE PCC SHALL BE DEEMED A NEGLECT OF LAWFUL DUTIES AND SHALL BE SUBJECT TO APPROPRIATE DISCIPLINARY ACTIONS AS PROVIDED UNDER R. A. NO. 2260, OTHERWISE KNOWN AS THE "CIVIL SERVICE ACT OF 1959."

SEC. 5. Sections 16,17,18 and 19 of the same Act are hereby renumbered as Sections 18,19,20 and 21, respectively.

SEC. 6. *Repealing Clause.* – All laws, decrees, executive issuances, and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 7. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the other provisions hereof which are not affected shall continue to be in full force and effect.

SEC. 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,