

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. 5608



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

Fertilizer and pesticides are indispensable inputs towards ensuring agricultural productivity and food sufficiency. Fertilizers supply the needed nutrients of crops while pesticides protect crops from adverse effects of pests, microorganisms, and weeds. The creation of the Agency is in response to the need to regulate fertilizer and pesticide imports and exports and ensure their adequate supply in the country.

In 1977, Since application of pesticide products goes side by side with fertilizers in agricultural production, the government thought of expanding its regulatory powers to pesticide industries. The FIA was then replaced by the **Fertilizer and Pesticide Authority (FPA)** which was created on 30 May 1977 by virtue of P.D. 1144. This is also attributed to the fact that fertilizer and pesticide industries possesses the same clientele, distribution channels, system of application in farmers' fields and technical supervision by the same farm management technicians under the government's food production program.

Under the new law, FPA acquired broader powers with absolute control over the fertilizer and pesticide sector. FPA's mandate can be categorized into regulatory, monitoring, evaluation, and promotion.

This House Bill seeks to provide **Modernization Funding** to the **Fertilizer and Pesticide Authority (FPA)**, to improve quality of life for all Filipinos through increased farm incomes, productivity and food production using safe and appropriate fertilizer and pesticide inputs.

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Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal flourish extending to the right.

MICHAEL L. ROMERO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

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HOUSE BILL NO. 5608

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AN ACT

PROVIDING FOR MODERNIZATION FUNDINGFOR THE
FERTILIZER AND PESTICIDE AUTHORITY (FPA), INCREASING
AND REORGANIZING ITS ADMINISTRATION, TO IMPROVE
QUALITY OF LIFE FOR ALL FILIPINOS THROUGH INCREASED
FARM INCOME, PRODUCTIVITY AND FOOD PRODUCTION USING
SAFE AND APPROPRIATE FERTILIZER AND PESTICIDE INPUTS
AND FOR OTHER PURPOSES

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

SECTION 1. DECLARATION OF POLICY – It shall hereby be a
declared policy of the State to improve the quality of life for all Filipinos through
increased farm incomes, productivity and food production using safe and
appropriate fertilizer and pesticide inputs.

The state shall continually improve the effectiveness of our Quality Management
System towards equitable development for improved quality of life for all.

The state shall formulate policies for the efficient and effective administration
and management of all manpower, skills and competencies to ensure
compliance.

SECTION 2. MODERNIZATION FUNDING. – The amount of Five Hundred Million Pesos (**Php 500,000,000.00**) for the operation and administration of the **Fertilizer and Pesticide Authority (FPA)** shall be chargeable against funds for the purpose and other sources recommended by the **Department of Budget and Management (DBM)**. Thereafter, appropriations for the **Fertilizer and Pesticide Authority (FPA)** shall be included in the budget proposals under the Department Agriculture (**DA**).

The Department of Budget and Management (**DBM**) shall rationalize the existing organizational structure and staffing pattern of the in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

SECTION 3. FERTILIZER AND PESTICIDE AUTHORITY (FPA) MODERNIZATION FUND – There is hereby created the (**FPA**) *Modernization Fund* to be used exclusively for the (**FPA**) *Modernization Program*.

The (**FPA**) *Modernization Fund* shall be administered by the Secretary of the **DA** in accordance with existing government budgeting, accounting and auditing rules and regulations.

SECTION 4. PROGRESS REPORT – The Secretary of **DA** shall prepare an annual report on the status of the implementation of the (**FPA**) *Modernization Programs* which shall be submitted, to the Office of the President and to the Chairpersons of the Committee of Agriculture and Food of the Senate and the House of Representatives.

SECTION 5. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That the **Fertilizer and Pesticide Authority (FPA)** shall continue to develop, modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 6. POWERS AND FUNCTIONS. – The **Fertilizer and Pesticide Authority (FPA)** shall continue to exercise and uphold the following powers and functions; but not limited to:

- a) Conduct information campaign regarding the safe and effective use of pesticides and fertilizers.
- b) Promote and coordinate all fertilizer and pesticide research to ensure scientific pest control, safety in the use and handling of pesticides, higher standards and quality of products and better application methods.
- c) Promulgate rules and regulations for the licensing of handlers and registration of fertilizer and pesticide products.
- d) Establish and impose appropriate penalties on handlers of these products for violations of any rules and regulations.
- e) Make continuous assessment of the fertilizer supply and demand situation, both domestic and worldwide.
- f) Establish and implement regulations governing the import and export of fertilizer inputs and, when necessary, import and/or export such items.
- g) Regulate and control quality of the different grades of fertilizer and set new grades when necessary.

- h)** Control and regulate all aspects of fertilizer production.
- i)** To do all such things as necessary to maintain an adequate supply of fertilizer at reasonable prices.
- j)** Restrict or ban the use of formulation of any pesticide.

SECTION 7. INCREASE OF PERSONNEL. – The **Fertilizer and Pesticide Authority (FPA)** shall maintain the sufficient staffing pattern. Hence, it is authorized to increase its manpower to meet such required and may continue to increase personnel per percentage rate increase of committed mandates annually or as the need arises.

SECTION 8. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 9. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 10. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 12. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,