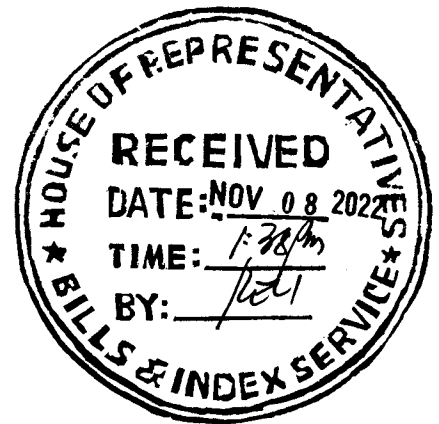


HOUSE OF REPRESENTATIVES

House Bill No. 5927



Introduced by Representative CHRISTIAN TELL A. YAP

EXPLANATORY NOTE

The Philippines has a tropical climate with its yearlong warm temperature and abundant rainfall. According to the World Bank, the Philippines has a total of 41.7% of Agricultural land.¹ It was reported in January 2022 that around 13.42 million hectares of the total land area of the Philippines are used for agricultural crop cultivation.²

Philippines being a major exporter of agricultural commodities such as banana, pineapples, and mango, agriculture plays a significant role in our economy.³

As reported by the Philippine Statistics Authority last August 2022, increases in the value of production in livestock and poultry were noted during the second quarter of 2022.⁴ In terms of livestock and poultry production, hogs and chickens were the most widely consumed of all the animals raised for human sustenance.⁵

Section 1 of Executive Order No. 247 of 1995 provides that it shall be the policy of the State to regulate the prospecting of biological and genetic resources so that these resources are protected and conserved, are developed and put to the sustainable use and benefit of the national interest.⁶

As the Philippine government continues to strengthen its policies to support the agriculture industry and reduce food prices, this proposed legislation seeks to establish an Agricultural Waste Management Facility under the Department of Agriculture which shall serve as a foundation to systematically promote the use of agricultural waste or livestock manure as organic fertilizer for crop production.

Toward this end, the State shall establish a 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.

¹ <https://data.worldbank.org/indicator/AG.LND.AGRI.ZS?locations=PH>

² <https://www.statista.com/statistics/1045556/land-area-used-for-agricultural-crop-cultivation-philippines/>

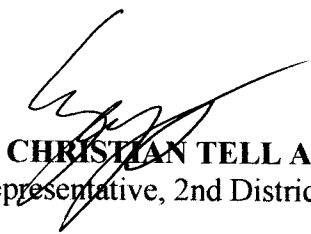
³ https://psa.gov.ph/sites/default/files/AIS_Agri%20Exports%20and%20Imports%202020_signed_0.pdf

⁴ <https://psa.gov.ph/content/value-production-agriculture-and-fisheries-declined-06-percent-second-quarter-2022>

⁵ https://www.statista.com/topics/7001/livestock-and-poultry-sectors-in-the-philippines/#topicHeader__wrapper

⁶ <https://www.chanrobles.com/eo247.htm#.YtZQ8nbx7re>

In the interest of agriculture, health, environmental sustainability and economic viability, the approval of this bill is earnestly sought.



CHRISTIAN TELL A. YAP
Representative, 2nd District of Tarlac

HOUSE OF REPRESENTATIVES

House Bill No. 5927

Introduced by Representative CHRISTIAN TELL A. YAP

AN ACT
TO DEVELOP AND PROMOTE AGRICULTURAL WASTE MANAGEMENT IN
THE PHILIPPINES AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* - This Act shall be known as the “Agricultural Waste
Management Act of 2022.”

SEC. 2. *Declaration of Policies.* – It is hereby declared the policy of the State to
promote, propagate, develop 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, and protect the health of farmers, consumers and the general
public.

To this end, the State shall establish a 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.

SEC. 3. *Definition of Terms.* – For the purpose of this Act, the following are hereby
defined as follows:

- (a) ⁷*Agricultural holding* shall refer to the economic unit under a single management engaged in agricultural production activities.
- (b) ⁸*Agricultural waste* shall refer to the waste generated from planting or harvesting of crops, trimming or pruning of plants and animal wastes or run-off materials from farms or fields;
- (c) ⁹*Livestock* shall refer to horses, cattle carabaos, sheep, goats, swine, rabbits, poultry and such other animals or birds as the Secretary of Agriculture may, from time to time by regulation, prescribe.
- (d) ¹⁰*Manure* shall refer organic material that is used to fertilize land, usually consisting of the feces and urine of domestic livestock, with or without accompanying litter such as straw, hay, or bedding.
- (e) ¹¹ *Organic* shall refer to the particular farming and processing system, described in the standards and not in the classical chemical sense. The term "organic" is synonymous in other languages to "biological" or "ecological". Furthermore, it is also a labeling term that denotes products considered organic based on the Philippine National Standards for organic agriculture.
- (f) ¹²*Resource conservation* shall refer to the reduction of the amount of solid waste that are generated or the reduction of overall resource consumption, and utilization of recovered resources;
- (g) ¹³*Scheduled compliance* shall refer to an enforceable sequence of actions or operations to be accomplished within a stipulated time frame leading to compliance with a limitation, prohibition, or standard set forth in this Act or any rule or regulation issued pursuant thereto; and
- (h) ¹⁴*Storage* shall refer to the interim containment of solid waste after generation and prior to collection for ultimate recovery or disposal.

SEC. 4. *Agricultural Waste Management Council (AWMC).* - There is hereby created an Agricultural Waste Management Council (AWMC), under the Department of Agriculture (DA), that shall formulate and implement the Agricultural Waste Management Policy of the country.

⁷ <https://stats.oecd.org/glossary/detail.asp?ID=72>

⁸ <https://www.officialgazette.gov.ph/2001/01/26/republic-act-no-9003-s-2001/>

⁹ https://lawphil.net/statutes/repacts/ra1956/ra_1556_1956.html

¹⁰ <https://www.britannica.com/topic/manure>

¹¹ https://lawphil.net/statutes/repacts/ra2010/ra_10068_2010.html

¹² <https://www.officialgazette.gov.ph/2001/01/26/republic-act-no-9003-s-2001/>

¹³ <https://www.officialgazette.gov.ph/2001/01/26/republic-act-no-9003-s-2001/>

¹⁴ <https://www.officialgazette.gov.ph/2001/01/26/republic-act-no-9003-s-2001/>

1 The AWMC shall be composed of a Chairperson and four (4) permanent council
2 members who shall all be appointed by the President of the Philippines. They shall be
3 Filipino citizens, at least twenty-five (25) years of age, and of good moral character;
4 *Provided, That* at least one (1) permanent member shall be a member of the Philippine Bar,
5 and at least two (2) members shall be from the private agricultural sector.
6

7 The Chairperson and Members shall serve for a term of three (3) years, subject to
8 reappointment for another three-year term. The first two (2) members shall be appointed
9 for a term of two (2) years and the other two (2) members for a term of one (1) year.
10 Thereafter their successors shall be appointed for a term of three years.
11

12 **SEC. 5. *Powers and Functions of the Council.*** - The Chairperson shall be the
13 Chief Executive Officer of the AWMC and shall be assisted by four (4) permanent and full
14 time members. The Council shall have the following powers and functions:

- 15 (a) Develop and promote organic production system;
- 16 (b) Establish and maintain a database of information regarding agricultural waste
17 management in coordination with the LGU concerned, and other relevant agencies.
- 18 (c) Facilitate expert assistance in pilot modeling of agricultural waste management
19 facilities.
- 20 (d) Facilitate integrated agricultural waste management training and education;
- 21 (e) Monitor proper agricultural waste management; and
- 22 (f) Promote the use of livestock manure as organic fertilizer which shall provide
23 organic and sustainable nutrients to crop production and resource conservation.
24

25 **SEC. 6. *Secretariat.*** – The Council shall have the Department of Agriculture
26 secretariat as the principal secretariat in providing staff support.
27

28 **SEC. 7. *Agricultural Waste Management Facility.*** - The State shall establish an
29 Agricultural Waste Management Facility per province which shall serve as a temporary
30 storage location and will process the agricultural waste or manure for the implementation
31 of the provisions of this Act.

32 **SEC. 8. *Agricultural Waste Management.*** ¹⁵Agricultural holdings who have
33 livestock units shall have space for the proper storage and segregation of agricultural waste
34 or manure.
35

¹⁵ <https://lagen.nu/1998:915>

1 **SEC. 9. *Agricultural Waste Storage in the Agricultural Holdings.***¹⁶ The
2 Department of Agriculture may provide storage containers and coverings for materials
3 containing agricultural waste, manure or other biological products from agricultural
4 activities for agricultural holdings.

5
6 **SEC. 10. *Agricultural Waste Collection.*** - The respective Department of
7 Agriculture field office shall collect the agricultural waste or manure from the agricultural
8 holdings in their jurisdiction and transport it the Agricultural Waste Management Facility
9 in the province.

10
11 **SEC. 11. *Storage and Process.*** The respective Department of Agriculture field
12 office shall store the collected agricultural waste or manure to the Agricultural Waste
13 Management Facility and the facility shall process it into compost.

14
15 **SEC. 12. *Selling of Compost.*** - The Department of Agriculture field office shall
16 sell the compost to agricultural holdings who need it for crop cultivation in observance of
17 the scheduled compliance in their jurisdiction for revenue.

18
19 **SEC. 13. *Powers and Functions of the National Solid Waste Commission***
20 ***(Section 5 of Republic Act 9003) is hereby amended as follows:***

21 “SECTION 5. Powers and Functions of the Commission. — The Commission shall
22 oversee the implementation of solid waste management plans and prescribe policies
23 to achieve the objectives of this Act. The Commission shall undertake the following
24 activities:

25 (a) Prepare the national solid waste management framework;

26 (b) Approve local solid waste management plans in accordance with its rules and
27 regulations;

28 (c) Review and monitor the implementation of local solid waste management plans;

29 (d) Coordinate the operation of local solid waste management boards in the
30 provincial and city/municipal levels;

31 (e) To the maximum extent feasible, utilizing existing resources, assist provincial,
32 city and municipal solid waste management boards in the preparation, modification,
33 and implementation of waste management plans;

34 (f) Develop a model provincial, city and municipal solid waste management plan
35 that will establish prototypes of the content and format which provinces, cities and
36 municipalities may use in meeting the requirements of the National Solid Waste
37 Management Framework;

38 (g) Adopt a program to provide technical and other capability building assistance
39 and support to local government units in the development and implementation of
40 source reduction programs;

¹⁶ <https://lagen.nu/1998:915>

- (h) Develop and implement a program to assist local government units in the identification of markets for materials that are diverted from disposal facilities through re-use, recycling, and composting, and other environment-friendly methods;
- (i) Develop a mechanism for the imposition of sanctions for the violation of environmental rules and regulations;
- (j) Manage the Solid Waste Management Fund;
- (k) Develop and prescribe procedures for the issuance of appropriate permits and clearances;
- (l) Review the incentives scheme for effective solid waste management, for purposes of ensuring relevance and efficiency in achieving the objectives of this Act;
- (m) Formulate the necessary education promotion and information campaign strategies;
- (n) Establish, after notice and hearing of the parties concerned, standards, criteria, guidelines and formula that are fair, equitable and reasonable, in establishing tipping charges and rates that the proponent will charge in the operation and management of solid waste management facilities and technologies;
- (o) Develop safety nets and alternative livelihood programs for small recyclers and other sectors that will be affected as a result of the construction and/or operation of a solid waste management recycling plant or facility;
- (p) Formulate and update a list of non-environmentally acceptable materials in accordance with the provisions of this Act. For this purpose, it shall be necessary that proper consultation be conducted by the Commission with all concerned industries to ensure a list that is based on technological and economic viability;
- (q) Encourage private sector initiatives, community participation and investments resource recovery-based livelihood programs for local communities;
- (r) Encourage all local government agencies and all local government units to patronize products manufactured using recycled and recyclable materials;
- (s) Propose and adopt regulations requiring the source separation and post separation collection, segregated collection, processing, marketing and sale of organic and designated recyclable material generated in each local government unit; and
- (t) Study and review the following:
- (i) Standards, criteria and guidelines for the promulgation and implementation of an integrated national solid waste management framework; and
 - (ii) Criteria and guidelines for siting, design, operation and maintenance of solid waste management facilities.
- (u) Develop and implement a program to assist local government units in the production of organic fertilizer and soil ameliorants from agricultural waste.***

SEC. 14. Section 7 of Republic Act 9003 is hereby amended as follows:

“SECTION 7. The National Ecology Center. — There shall be established a National Ecology Center under the Commission which shall provide consulting,

1 information, training, and networking services for the implementation of the
2 provisions of this Act.

3 In this regard, it shall perform the following functions:

4 (a) Facilitate training and education in integrated ecological solid waste
5 management;

6 (b) Establish and manage a solid waste management information data base, in
7 coordination with the DTI and other concerned agencies:

8 (1) on solid waste generation and management techniques as well as the
9 management, technical and operational approaches to resource recovery;
10 and

11 (2) of processors/recyclers, the list of materials being recycled or bought
12 by them and their respective prices;

13 (c) Promote the development of a recycling market through the establishment of a
14 national recycling network that will enhance the opportunity to recycle;

15 (d) Provide or facilitate expert assistance in pilot modeling of solid waste
16 management facilities;

17 (e) Develop, test, and disseminate model waste minimization and reduction
18 auditing procedures for evaluating options; and

19 (f) ***Promote agricultural waste management.***

20 The National Ecology Center shall be headed by the director of the Bureau in his
21 ex officio capacity. It shall maintain a multi-sectoral, multi-disciplinary pool of
22 experts including those from the academe, inventors, practicing professionals,
23 business and industry, youth, women and other concerned sectors, who shall be
24 screened according to qualifications set by the Commission.

25
26 **SEC. 15. *Section 11 of Republic Act 9003 is hereby amended as follows:***

27 “SECTION 11. Provincial Solid Waste Management Board. — A Provincial Solid
28 Waste Management Board shall be established in every province, to be chaired by
29 the governor. Its members shall include:

30 (a) All the mayors of its component cities and municipalities;

31 (b) One (1) representative from the Sangguniang Panlalawigan to be represented
32 by the chairperson of either the Committees on Environment or Health or their
33 equivalent committees, to be nominated by the presiding officer;

34 (c) The provincial health and/or general services officers, whichever may be
35 recommended by the governor;

36 (d) The provincial environment and natural resources officer;

- (e) The provincial engineer;
- (f) Congressional representative/s from each congressional district within the province;
- (g) A representative from the NGO sector whose principal purpose is to promote recycling and the protection of air and water quality;
- (h) A representative from the recycling industry;
- (i) A representative from the manufacturing or packaging industry; and
- (j) A representative of each concerned government agency possessing relevant technical and marketing expertise as may be determined by the Board;
- (k) *A representative from the Office of the Provincial/City/Municipal Agriculturist.*”

SEC. 16. Section 12 of Republic Act 9003 is hereby amended as follows:

“SECTION 12. City and Municipal Solid Waste Management Board. — Each city or municipality shall form a City or Municipal Waste Management Board that shall prepare, submit and implement a plan for the safe and sanitary management of solid waste generated in areas under its geographic and political coverage.

The City or Municipal Solid Waste Management Board shall be composed of the city or municipal mayor as head with the following as members:

- (a) One (1) representative of the Sangguniang Panlungsod or the Sangguniang Bayan, preferably chairpersons of either the Committees on Environment or Health, who will be designated by the presiding officer;
- (b) President of the Association of Barangay Councils in the municipality or city;
- (c) Chairperson of the Sangguniang Kabataan Federation;
- (d) A representative from NGOs whose principal purpose is to promote recycling and the protection of air and water quality;
- (e) A representative from the recycling industry;
- (f) A representative from the manufacturing or packaging industry; and
- (g) A representative of each concerned government agency possessing relevant technical and marketing expertise as may be determined by the Board.
- (h) *A representative from the Office of the Provincial/City/Municipal Agriculturist.*”

SEC. 17. Section 16 of Republic Act 9003 is hereby amended as follows:

“SECTION 16. Local Government Solid Waste Management Plans. — The province, city or municipality, through its local solid waste management boards, shall prepare its respective 10-year solid waste management plans consistent with the national solid waste management framework: Provided, That the waste management plan shall be for the re-use, recycling, *conversion of agricultural waste to fertilizer and soil ameliorants*, and composting of wastes generated in their respective jurisdictions: Provided, further, That the solid waste management plan of the LGU shall ensure the efficient management of solid waste generated

1 within its jurisdiction. The plan shall place primary emphasis on implementation of
2 all feasible re-use, recycling, and composting programs while identifying the
3 amount of landfill and transformation capacity that will be needed for solid waste
4 which cannot be re-used, recycled, or composted. The plan shall contain all the
5 components provided in Sec. 17 of this Act and a timetable for the implementation
6 of the solid waste management program in accordance with the National
7 Framework and pursuant to the provisions of this Act: Provided, finally, That it
8 shall be reviewed and updated every year by the provincial, city or municipal solid
9 waste management board.

10 For LGUs which have considered solid waste management alternatives to comply
11 with Sec. 37 of this Act, but are unable to utilize such alternatives, a timetable or
12 schedule of compliance specifying the remedial measures and eventual compliance
13 shall be included in the plan.

14 All local government solid waste management plans shall be subjected to the
15 approval of the Commission. The plan shall be consistent with the national
16 framework and in accordance with the provisions of this Act and of the policies set
17 by the Commission: Provided, That in the Province of Palawan, the local
18 government solid waste management plan shall be approved by the Palawan
19 Council for Sustainable Development, pursuant to R.A. No. 7611.”

20
21 **SEC. 18. *Appropriations.*** – The Secretary of Agriculture shall incorporate in the
22 Department of Agriculture’s program the amount necessary for the operationalization of
23 the Agricultural Waste Management which shall be included in the General Appropriations
24 Act of the year following its enactment into law and every year thereafter.

25
26 **SEC. 19. *Implementing Rules and Regulations.*** — The Department of
27 Agriculture, within six (6) months from the effectivity of this Act, shall promulgate the
28 rules and regulations necessary for the proper implementation of this Act.

29
30 **SEC. 20. *Separability Clause.*** - If any provision of this Act is declared
31 unconstitutional or invalid, other provisions not otherwise affected shall remain in full
32 force and effect.

33
34 **SEC. 21. *Repealing Clause.*** - All laws, decrees, orders, rules and regulations or
35 parts thereof which are inconsistent with this Act are hereby repealed or amended
36 accordingly.

1 **SEC. 22. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days upon its
2 publication in the Official Gazette or two (2) newspapers of general circulation in the
3 Philippines.

4
5 *Approved,*