

[REPUBLIC ACT NO. 11511, December 23, 2020]

AN ACT AMENDING REPUBLIC ACT NO. 10068 OR THE ORGANIC AGRICULTURE ACT OF 2010

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

SECTION 1. Section 1. Section 2 of Republic Act No. 10068, otherwise known as "An Act Providing for the Development and Promotion of Organic Agriculture in the Philippines and for Other Purposes", is hereby amended, to read as follows:

"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 and farmers' incomes, reduce pollution and destruction of the environment, prevent the depletion of natural resources, encourage the participation of indigenous organic farmers in promoting their sustainable practices, further protect the health of farmers, consumers, and the general public, save on imported farm inputs and promote food self-sufficiency. Towards this end, a comprehensive program for the promotion of community-based organic agriculture systems which include, among others, farmer-produced organic soil amendments, bio-control agents and other farm inputs, together with a nationwide educational and promotional campaign for their use and processing shall be established.

Likewise, a nationwide educational and awareness campaign among consumers on the benefits of consuming organic products to boost local production of organic food and non-food products, as well as the adoption of organic agricultural system as a viable alternative shall be undertaken.

x x x."

SEC. 2. Section 3 of Republic Act No. 10068 is hereby amended, to read as follows:

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

x x x

(c) *Organic production system* is a system designed to:

- (1) Enhance biological diversity within the whole system;
- (2) Increase soil biological activity;
- (3) Maintain long-term soil fertility;

x x x;

(h) *Certification* is the procedure by which a government agency or an organic certifying body (OCB) provides written or equivalent assurance that farms, or production and processing systems, conform to organic standards as mandated in this Act.

(i) *Accreditation* is the procedure by which a government agency having jurisdiction formally recognize the competence of an OCB to provide inspection and certification services. This shall be solely and exclusively exercised by the designated agency or agencies in this Act, pursuant to the mandates stated herein.

x x x.

(o) *Inspection* is the examination of farms, food and non-food products, food control systems, raw materials, processing, distribution and retailing, including in-process and finished product testing, in order to verify that they conform to the requirements for being organic. Inspection includes the examination of the production and processing systems.

(p) *Organic bio-control agents* refer to organisms and their associated metabolites as well as naturally occurring substances that control pests and diseases. These are classified as botanicals, macrobials, microbials, and semichemicals.

(q) *Organic Certifying Body (OCB)* refers to a legal entity accredited by a government agency to perform inspection and certification activities. It is responsible for verifying that a product sold or labeled as "organic" is produced, processed, prepared, or handled according to relevant guidelines.

(r) *Organic soil amendments* refer to all the products within the scope of the Philippine national standard, i.e. organic fertilizers, compost/soil conditioner, microbial inoculants, and organic plant supplements that are added to the soil to improve its physical properties.

(s) *Participatory Guarantee System (PGS)* refers to a locally-focused quality assurance system which is developed and practiced by people actually engaged in organic agriculture, It is built on a foundation of trust, social network, and knowledge exchange. It is used to certify producers and farmers as actual and active practitioners of organic agriculture.

(t) *PGS group* refers to a legal association or cooperative of registered farmer members and other stakeholders in a participatory guarantee system

(u) *Core PGS group* refers to the basic grouping unit in the PGS.

(v) *Participatory Organic Certificate* refers to a documentary proof that a core PGS group is compliant with the requirements, standards and norms of organic farming/agriculture. It shall be issued by a government agency or by an authorized OCB, after the conduct of an investigation and certification activity on the application for certification by the core PGS group. It shall have a validity of three (3) years.

(w) *Small farmer/fisherfolk* refers to those utilizing not more than five (5) hectares of land for the single purpose of, or a combination of the following purposes for, agricultural crop production, including rice and corn, aquaculture, and poultry/livestock raising: *Provided*, That poultry/livestock raising shall not have more than the following:

- * Poultry - 1,000 poultry layers or 5,000 broilers
- * Swine/native pigs - 10 sow level or 20 fatteners
- * Cattle - 10 fatteners or 5 breeders
- * Dairy - 10 milking cows
- * Goat, sheep and other small ruminants - 50 heads
- * Other animals permitted to be raised, the limits of which are to be determined by the National Organic Agriculture Board (NOAB).

(x) *Organic value chain* refers to agriculture-related activities that put farmers, processors, distributors and consumers within a system that produces, processes, transports, markets and distributes organic agricultural products."

SEC. 3. Section 4 of Republic Act No. 10086 is hereby amended, to read as follows:

"SEC. 4. *Coverage.* - The provision of this Act shall apply to the development and promotion of organic agriculture and shall include, but not limited to, the following:

x x x

(c) Promotion and encouragement of the establishments of facilities, equipment and processing plants that would accelerate the production and commercialization of organic fertilizers, bio-control agents, organic soil amendments 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, prioritizing small farmers/fisherfolk and their organizations and other stakeholders."

SEC. 4. Section 7 is hereby amended, to read as follows:

x x x

"SEC. 7. *Composition of the NOAB.* - The NAOB shall consist of the following members:

x x x

(d) The Director General of the Technical Education and Skills Development Authority, or his/her duly authorized permanent representative;

(e) The Secretary of Agrarian Reform, or his/her duly authorized permanent representative;

(f) The Secretary of Trade and Industry, or his/her duly authorized permanent representative;

(g) The Secretary of Health, or his/her duly authorized permanent representative;

(h) Three (3) representatives from the small farmers;

(i) One (1) representative from the NGOs involved in organic agriculture for at least three (3) years;

- (j) One (1) representative from agricultural colleges and universities;
- (k) One (1) representative from the private sector in the organic value chain;
- (l) One (1) representative from the national association of PGS groups, to be chosen from among and by themselves: *Provided*, That the representative is a small farmer;
- (m) One (1) representative from a national organization of local government units (LGUs) actually engaged in organic agriculture; and
- (n) One (1) qualified representative from the indigenous organic farmers.

x x x

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 represent their respective organizations at least from the provincial level, actually and actively practicing and promoting organic agriculture practices, be conversant in organic agriculture and committed to the policies and programs provided under this Act. The three (3) seats given to small farmers shall be chosen from the crops and livestock sectors, which will have two (2) seats and one (1) seat, respectively.

An appointed/elected member of the board can only serve a single term of three (3) years, without reappointment. Should the member fail to complete his/her term, the replacement or successor shall only serve the unexpired portion of the term.

SEC. 5. Section 8 is hereby amended, to read as follows:

"SEC. 8. - *Organization of the NOAB.* -

x x x

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 meet at least once every quarter after its constitution.

x x x"

SEC. 6. Section 10 and 11 of Republic Act No. 10068 are hereby repealed and a new Section 10 is hereby inserted, to read as follows:

"SEC. 10. *National Organic Agriculture Program - National Program Coordinating Office (NOAP-NPCO).* - To manage the effective implementation of the National Organic Agriculture Program, the Department of Agriculture (DA), Office of the Secretary, shall be strengthened and empowered in terms of establishing a functional office, to be known as the National Organic Agriculture Program - National Program Coordinating Office (NOAP-NPCO). It shall serve as the planning and administrative secretariat of the NOAB, and as the coordinating office of the Program."

SEC. 7. Section 12 of Republic Act No. 10068 is hereby amended and renumbered as Section 11 of this Act, to read as follows:

"SEC. 11. *Work Plan*. - In line with the National Organic Agriculture Program, the NOAP-NPCO shall submit to the Board for approval the following:

x x x."

SEC. 8. A new Section 12 is hereby inserted after the new Section 11, to read as follows:

"SEC. 12. *Bureau of Agriculture and Fisheries Standards (BAFS)*. - The BAFS of the DA shall be restructured, strengthened, and empowered to support the objectives of this Act. It shall provide technical assistance to the NOAB and the NOAP-NPCO. The BAFS, in addition to its existing functions and responsibilities, shall perform the following functions, duties and responsibilities for purposes of this Act:

(a) Formulate and update standards relevant to organic agriculture;

(b) Issue accreditation to OCBs;

(c) Conduct inspections on compliance of PGS groups with the Philippine National Standards (PNS) for organic agriculture, and publish at least once a year the list of compliant PGS groups;

(d) Issue registration of organic inputs, such as organic soil amendments and organic bio-control agents;

(e) Issue registration of integrated organic farms with multiple commodities/production and of organic input products;

(f) Rules on the appeal of farm/farmowner on decision made by OCBs and the concerned municipal/city PGS groups on inspection and certification issues; and

(g) Perform such other functions, duties, and responsibilities as may be necessary to implement this Act."

SEC. 9. Section 15 of Republic Act No. 10068 is hereby amended and renumbered as Section 13 of this Act, to read as follows:

"SEC. 13. *Accreditation of OCB*. - The BAFS is hereby designated and authorized to grant official accreditation to an OCB entity. The BAFS is tasked to formulate the necessary rules and procedures in the accreditation of OCBs performing third-party certification, or granting certification as part of the PGS: *Provided*, That there shall be at least one (1) accredited OCB performing third-party certification, each in Luzon, Visayas and Mindanao, or in case of only one (1) OCB performing third-party certification is accredited, it shall have at least one (1) satellite office or processing unit each in Luzon, Visayas and Mindanao."

SEC. 10. A new Section 14 is hereby inserted, to read as follows:

"SEC. 14. *Participatory Guarantee System (PGS)*. -

(a) *Basic Principles*. The PGS shall be the mechanism which small farmers/fisherfolk, their farms/associations/cooperatives shall be certified as engaged in organic agriculture and as producers of organic agriculture products. The participatory