

ORGANIC AGRICULTURE ACT OF 2010

➤ **IMPLEMENTING  
RULES AND  
REGULATIONS**

**REPUBLIC ACT NO. 10068**

The formulation of the IRR was spearheaded by the National Organic Agriculture Board (NOAB), after several series of consultations with various organic industry stakeholders. The IRR was approved by COCAFAM on January 31, 2011.

The COCAFAM is co-chaired by Senator Francis “Kiko” Pangilinan, chairman of the Senate Committee on Agriculture and Food; and Representative Mark Llandro Mendoza (4th District, Batangas), Chairman of the House of Representative Committee on Agriculture and Food.

# IMPLEMENTING RULES AND REGULATIONS FOR REPUBLIC ACT NO. 10068 (Philippine Organic Agriculture Act of 2010)

*Pursuant to the provisions of Section 27 of Republic Act No. 10068, otherwise known as the “Organic Agriculture Act of 2010”, the Department of Agriculture hereby adopts and promulgates the following rules and regulations:*

## **Section 1 Title**

This Administrative Order (AO) shall be known as the Implementing Rules and Regulations (IRR) of Republic Act (RA) 10068, otherwise known as the “Organic Agriculture Act of 2010”.

## **Section 2 Declaration of Policy**

These IRR are issued pursuant to the policies declared under RA 10068, to wit: “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, reduce pollution and destruction of the environment, prevent the depletion of natural resources, further protect the health of farmers, consumers and the general public, and save on imported farm inputs. Toward this end, a comprehensive program for the promotion of community-based organic fertilizers such as compost, pesticides and other farm inputs, together with a nationwide educational and promotional campaign for the use and processing, as well as the adoption of organic agricultural system as a viable alternative shall be undertaken.

The State recognizes and supports the central role of the farmers, indigenous people and other stakeholders at the grassroots of the program.

Rule 2.1 Organic agricultural systems further promote the development of related community-based industries, namely organic agriculture, prime habitat and eco-tourism, among others. These communities provide clean, safe, nutritious and sufficient food, water, air and health conducive environments. Organic agriculture enhances food sovereignty and substantially contributes to food security.

Rule 2.2. Organic agricultural systems, in its goal to reduce environmental pollution and ecosystem destruction and, prevent the depletion of natural resources, shall endeavor to promote the low carbon development path and its strategies.

Rule 2.3. Organic agriculture boosts community resiliency to disaster risks and climate change vulnerabilities caused by anthropogenic factors (climatic vulnerabilities and changes induced by human interventions) and naturally induced hazards and, contributes to risk reduction.

Rule 2.4. The State shall likewise recognize the importance of consumers and other vulnerable stakeholders of the organic farming system at the national and grassroots level.

### **Section 3      Definition of Terms**

For purposes of these IRR, the following terms shall be defined as follows:

“Accreditation” is the procedure by which BAFPS as mandated by NOAB, formally recognizes the competence of an inspection and/or certification body to provide inspection and certification services for all organic products.

“Agribusiness firm” refers to various businesses involved in organic food and non-food production, including farming and contract farming, inputs supply, farm machinery, wholesale and distribution, processing, marketing, and retail sales.

“Alternative Learning System (ALS)” is a parallel learning system to provide a viable alternative to the existing formal educational instruction. It encompasses both the non-formal and informal sources of knowledge and skills.

“Bio-organic products” refer to products obtained from organic farming and processing methods.

“Biological processing” refers to the use of microorganisms and their enzymes in processing biological matter.

“Certification” is the procedure by which official certification bodies or officially recognized certification bodies provide written or equivalent assurance that foods or food control systems conform to requirements or standards of the NOAB.

“Certification body” refers to a body which is responsible for verifying that a product sold or labeled as “organic” is produced processed, prepared, handled and imported according to relevant guidelines.

“Certification mark” refers to a certification body’s sign, symbol or seal that identifies product(s) as being certified according to the rules

of a program operated by that certification body and approved by the accreditation authority.

“Climate Change” refers to a change in climate that can be identified by changes in the mean and/or variability of its properties and that persists for an extended period typically decades or longer, whether due to natural variability or as a result of human activity

“Commercialization” is a process of introducing a new agricultural and fishery technology either as product, process or service that has undergone the intensive innovative activities of assessment promotion and transfer for economic benefit.

“Consumer” refers to persons and families purchasing and receiving goods in order to meet their personal needs.

“Conversion period” refers to the time between the start of the organic management and certification of crops, animal husbandry or aquaculture products as organic.

“Conventional” means any material, production or processing practice that is not certified organic or organic “in-conversion”.

“Department” refers to the Department of Agriculture.

“Disaster” refers to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation.

“Disaster Risk” is the potential disaster losses in lives, health status, livelihood, assets and services, which could occur to a particular community or a society over some specified future time period.

“Disaster Risk Reduction and Management” is the systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster. Prospective disaster risk reduction and management refers to risk reduction and management activities that address and seek to avoid the development of new or increased

disaster risks, especially if risk reduction policies are not put in place.

“Ecologically-sound” refers to a state, quality, or condition of a product, practice, system, development mode, culture, environment and the like, in accord with the 1987 Philippine Constitution, and as expounded in the above definition of organic agriculture.

“Faith-based organization” refers to the organizations and other aggrupations that are involved in assisting their church outreach engagements and in addressing the religious, socio-economic and welfare needs of its constituency.

“First party certification” is defined as when the certification criteria and rules are set and monitored/enforced by the producer or company itself.

“Formal Education” is the systematic and deliberate process of hierarchically structured and sequential learning corresponding to the general concept of elementary, secondary and tertiary levels of schooling including education for those with special needs. At the end of each level, the learner needs a certification in order to enter or advance to the next grade/year level.

“Food Safety” refers to the assurance that food will not cause harm to the consumer when it is prepared and/or eaten according to its intended use.

“Genetically Modified Organisms (GMOs)” refers to organisms that possess a novel combination of genetic materials obtained through the use of modern bio-technology.

“Good Manufacturing Practice (GMP)” refers to the part of quality assurance which ensures that products are consistently produced and controlled to the quality standards appropriate for their intended use as required by registration and marketing authorization.

“Food sovereignty” refers to ownership and control and, management of the food supply chain (i.e. from seeds/stocks up to its final products and by-products)

“Hazard Analysis Critical Control Points (HACCP)” refers to a system which identifies, evaluates, and controls hazards which are significant for food safety.

“Inspection” refers to the examination of food or systems for control of food, raw materials, processing, and distribution including in-process and finished product testing, in order to verify that they conform to the requirements. For organic food, inspection includes the examination of the production and processing system.

“Labeling” refers to any written, printed or graphic matter that is present on the label, accompanies the food, or is displayed near the food including that for the purpose of promoting its sale or disposal.

“Livestock” means any domestic and domesticated animal including bovine (buffalo and bison), ovine, porcine, caprine, equine, poultry and bees raised for food or in the production of food. The products of hunting or fishing of wild animals shall not be considered part of this definition.

“Low carbon development path” refers to growth that integrates positive impact on environment, minimizes if not eliminates green house gas emissions, taking into account long term sustainability.

“Informal Education” is a lifelong process of learning by which every person acquires and accumulates knowledge, skill, attitudes and insights from daily experiences at home, at work, at play and from life itself.

“Micro, Small and Medium Enterprises (MSMEs)” refer to any business activity or enterprise engaged in industry, agribusiness and/or services, whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity’s office, plant and equipment are situated, must have falling under the following categories:

Micro: not more than P3,000,000

Small: P3,000,001 – P15,000,000

Medium: P15,000,001 – P100,000,000

“Non-biodegradable wastes” refer to anything that cannot be degraded by biological processes (metals, plastics, glass, etc)

“Non-Formal Education” is any organized systematic educational activity carried outside the framework of the formal system to provide selected types of learning to a segment of the population.

“Non-Government Organization (NGO)” refers to any non-profit, voluntary citizens’ group which is organized on a local, national or international level. It is a legally constituted organization created by natural or legal persons that operates independently from any government. In the cases in which NGOs are funded totally or partially by governments, the NGO maintains its non-governmental status by excluding government representatives from membership in the organization.

“OA” shall refer to the Organic Agriculture.

“OAA” shall refer to the Organic Agriculture Act of 2010.

“Organic” refers to the particular farming and processing systems, described in the standards and not in the classical chemical sense. The term “organic” is synonymous in other languages to “biological” or “ecological”. It is also a labeling term that denotes products considered organic based on the Philippine National Standards for organic agriculture.

“Organic agriculture” includes all agricultural systems that promote the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agriculture dramatically reduces external inputs by refraining from the use of chemical fertilizers, pesticides and pharmaceuticals. It also covers areas such as but not limited to, soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without destroying the soil and harming farmers, consumers and the environment as defined by the International Federation of Organic Agriculture Movement (IFOAM): Provided, That the biotechnology herein referred to shall not include genetically modified organisms or GMOs.

“Organic food establishment” refers to an entity whether local or foreign, that produces fresh or processed organic food.

“Organic inputs” are organic materials necessary for organic agriculture production and processing such as seeds, plant protection and pest management products, compost and fertilizers, feeds, processing aids which are used to comply with the requirements of organic agriculture standards

“Organic input establishment” refers to an entity, whether local or foreign, that produces inputs acceptable for organic agriculture.

“Organic input-producer” refers to an entity, whether local or foreign, that produces inputs compliant with the Philippine National Standards for Organic Agriculture

“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; (4) recycle wastes of plant and animal origin in order to return nutrients to the land, thus minimizing the use of nonrenewable resources; (5) rely on renewable resources in locally organized agricultural systems; (6) promote the healthy use of soil, water and air as well as minimize all forms of pollution thereto that may result from agricultural practices;

(7) develop and promote the use of biotechnology in agriculture; (8) handle agricultural products with emphasis on careful processing methods in order to maintain the organic integrity and vital qualities of the product at all stages; and (9) become established on any existing farm through a period of conversion, the appropriate length of which is determined by site-specific factors such as the history of the land, and type of crops and livestock to be produced.

“People’s Organization (POs)” – are community-based, mass membership organizations, that are either Securities and Exchange Commission (SEC), or any Government Agency empowered by law or policy to register and/or accredit POs and other similar aggregations, registered or existing but not registered, with a set of by-laws adopted through a membership assembly and duly elected officials. POs are either sectoral or multi-sectoral alliance pursuing a common goal and established to secure benefits for their membership and articulate aims and objectives in the general development discourse.

“Pesticides” as referred to in the law shall mean botanical or biological plant protection products which are substances intended as disinfectant and/or for preventing, destroying, attracting, repelling, or controlling any pest or disease including unwanted species of plants or animals during the production, storage, transport, distribution and processing of food, agricultural commodities or animal feeds; provided that these do not refer to synthetic petrol based pesticides

“Private/business sector” - key actor in the realm of the economy where the central social concern and process is the mutually beneficial production and distribution of goods and services to meet the physical needs of human beings. The private sector comprises of private corporations, enterprises, individual businesses, among others.

“Processing Aid” means any substance or material, not including apparatus or utensils, and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfill a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final product.

“Resiliency” is the ability of a system, community or society exposed to hazards to resist, absorb, accommodate and recover from the effects of a hazard in a timely and efficient manner, through the preservation and restoration of its essential basic structures and functions.

“Risk” is the combination of the probability of an event and its negative consequences.

“Risk reduction” is the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including reduced exposures to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.

“Second party certification” is defined as when the certification criteria and rules are set by buyers or industry organizations.

“Small farmer” refers to natural persons dependent on small-scale subsistence farming and fishing activities as their primary source of income and/or whose sale, barter or exchange of agricultural products do not exceed a gross value of One Hundred Eighty Thousand pesos (PhP 180,000.00) per annum based on 1992 constant prices; Provided, that the small farmer holds and cultivates not more than 3 hectares of agricultural land.

“Sustainable development” is the development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two (2) key concepts: (1) the concept of “needs,” in particular, the essential needs of the world’s poor, to which overriding priority should be given; and (2) the idea of limitations imposed by the state of technology and social organizations on the environment’s ability to meet present and future needs. It is the harmonious integration of a sound and viable economy, responsible governance, social cohesion and harmony, and ecological integrity to ensure that human development now and through future generations is a life-enhancing process.

“Third party certification or independent certification” is defined as when a firm requires that its suppliers meet a certain standard and requests an independent organization that is not involved in the business relationship to control the compliance of the suppliers.

“Vulnerabilities” is defined as the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard. Vulnerability may arise from various physical, social, economic, and environmental factors such as poor design and construction of buildings, inadequate protection of assets, lack of public information and awareness, limited official recognition of risks and preparedness measures, and disregard for wise environmental management.

“Vulnerable stakeholders” are those that face higher exposure to disaster risk and poverty including, but not limited to, women, youth, children, elderly, differently-abled people, and indigenous/ethnic minorities.

## Section 4 Coverage

The provisions of this Act shall apply to the development and promotion of organic agriculture and shall include, but not limited to, the following: (a) Policy formulation on regulation, registration, accreditation, certification and labeling on organic agriculture; (b) Research, development and extension of appropriate sustainable environment and gender-friendly organic agriculture; (c) Promotion and encouragement of the establishment of facilities, equipment and processing plants that would accelerate the production and commercialization of organic fertilizers, pesticides, herbicides 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 and other stakeholders.

Rule 4.1 BAFPS shall formulate and/or update organic agriculture standards which would cover crops, livestock and aquaculture, organic production, processing and labeling adopting the Department's protocols for standards formulation and adoption taking into account participatory approaches and emphasis on transparency and accountability. Processing of organic produce shall consider quality and safety assurance systems such as Good Manufacturing Practices (GMP), Hazards Analysis Critical Control Points (HACCP), etc.

Rule 4.2 All standards adopted shall, as far practicable, be disseminated in Quad Media (i.e. radio, TV, broadsheet and internet based-social networks) but must at least be posted in a dedicated website, including the local government units' (LGUs) information mechanisms, and shall be amended regularly when there are valid grounds for such revisions.

Rule 4.3. A strategic and sustainable organic agriculture investment plan for support facilities, equipment and processing plants shall be formulated based on the need of such facilities in local communities.

Rule 4.4 Commercialization of biological and organic inputs such as fertilizers or biological plant nutrition, plant/livestock/aquaculture protection and pest management products shall be promoted and encouraged taking into consideration the indigenous knowledge, local resources and practices and the science and technology based approaches in the communities. Such products shall comply with the requirements of the updated and/or reformulated standards/criteria of the Philippine National Standards for Organic Agriculture.

Rule 4.5 The National Organic Agriculture Board (NOAB) shall

formulate the guidelines for the implementation of multi-sectoral (LGUs, NGOs, small organic farmers organizations, academe, RDE institutions, consumers and business groups) monitoring protocols to track the promotion and delivery of OAA support services and its implementation by the local chief executives (LCEs) at the provincial and city/municipal levels.

Rule 4.6 The NOAB and its appropriate TWGs shall continuously review all existing government (NGAs, legislative and LGUs) issuances, policies and programs affecting the implementation of the OAA and update recommendations to harmonize its provisions to further strengthen these IRRs consistent with the provisions of this Act.

## **Section 5 National Organic Agriculture Program (NOAP)**

There is hereby established a comprehensive organic agricultural program through the promotion and commercialization of organic farming practices, cultivation and adoption of production and processing methods which have already been developed, or to be developed, continuing research and upgrading thereof, the capacity building of farmers and the education of consumers thereon, the extension of assistance to local government units (LGUs), people's organizations (POs), non-government organizations (NGOs) and other stakeholders including individuals and groups who are willing to do other pertinent activities, and documentation and evaluation of the program

Rule 5.1 The NOAB through the Bureau of Agriculture and Fisheries Product Standards (BAFPS) shall call upon all government agencies and instrumentalities, including the LGUs, academe, NGOs, Small Farmers Organizations (OSFO)/Organic Farmers Organizations (OFOs), and RDE institutions, to submit their respective annual and long term OA plans taking into consideration climate change impact and mitigation, with emphasis on adaptation (e.g low carbon development path), disaster risk reduction and management, gender sensitive development, site specific ecosystem-based for consolidation and integration into a comprehensive National Organic Agriculture Program (NOAP). Such NOAP formulated by said agencies shall observe the principle of bottom-up, multi-disciplinary and multi-sectoral participatory planning, monitoring and evaluation system.

Rule 5.2 In formulating a comprehensive organic agriculture program, due consultation with the stakeholders shall be undertaken for purposes of ownership, legitimacy, transparency and accountability

and, following the principles of inclusivity and subsidiarity.

Rule 5.3 A rolling six year NOAP with the corresponding annual physical targets (e.g. area, population [i.e.livestock, poultry, aquaculture], volume of production and processing, agroforestry, market size, first, second, third party certified farms, and number of organic agriculture adopters) and budgetary requirements (by sources of funds: GAA, IRA, LGU development fund, EDF, ODA, ACEF, and private sector investment) shall be submitted to the Board for approval. The consolidated six year program must include projects identified by the LGUs, NGOs and OSFOs/organic farming organizations and must be reviewed, monitored and evaluated periodically.

Rule 5.4 A separate and distinct line budget item for organic agriculture in the GAA shall be allocated for the planning, implementation, monitoring and evaluation of the National Organic Agriculture Program (NOAP) and the operation of the NOAB. The DA, NOAB member agencies, concerned departments, GOCCs, GFIs, and LGUs are encouraged to allocate funds from their annual budget (GAA, IRA, LGU development fund, EDF, ODA, ACEF, etc. and private sector investment).

Rule 5.5 The implementation of the Organic Agriculture Program shall be focused on areas where delivery of support services is not adequately responded to, especially to farmers in marginal farm and coastal lands, in ancestral domains and agrarian reform areas subject to the prioritization criteria to be established by the NOAB. The implementation of small farm holding certification with an Internal Control System shall be intensified in areas where organic farms are contiguous and the farmers are adopting the same farming system.

Rule 5.6 The NOAB through its Chairman shall forge MOAs with the Leagues of Provinces, Cities/Municipalities and other concerned sources of ODA funds and negotiate with the members of the Congress (Senate and the House of Representatives) for fund sources for planning, implementation, monitoring and evaluation of the NOAP.

Rule 5.7 The DA and DTI must develop and institutionalize the promotion of local and international trade fairs, market promotion and matching activities with the active participation of LGUs, NGOs, NSAs, Academe, RDE Institutions, organic farmer organizations, consumer, business groups and multi-stakeholder (environment and climate change advocates and agrarian reform communities) networks to push organic products in the local and international markets as

outlined in the Comprehensive NOAP. Likewise, the consumption of organic products in the country shall be encouraged and promoted.

Rule 5.8 A NOAP progress monitoring and program benefit monitoring and impact evaluation of key organic programs, plans and projects shall be undertaken within three (3) years subject to the guidelines that will be developed by the NOAB. A separate and distinct TWG/Taskforce shall be created for this purpose.

## **Section 6 National Organic Agriculture Board (NOAB)**

To carry out the policy and the program provided in this Act, there is hereby created a NOAB which shall be the policy-making body and shall provide direction and general guidelines for the implementation of the National Organic Agricultural Program. The NOAB shall be attached to the Department of Agriculture (DA).

The NOAB shall ensure the full participation of POs, NGOs and the general public through coordination and consultative mechanisms such as, but not limited to, public hearings, meetings and joint projects.

Rule 6.1. The NOAB shall create Technical Working Group (TWG) and Task Forces as the need arises, taking into account balanced representation from the stakeholders at the national and regional levels, working in partnership with the DA Regional Field Units (DA-RFUs), NGAs, RDEs, LGUs and CSOs in order to expedite the planning, budget formulation, implementation, monitoring, and evaluation of various projects and activities. In all these TWG/TFs, the consumer group or coalition of organic products organizations' representation shall be ensured.

Rule 6.2 The criteria, guidelines and functions of the TWG and Task Forces shall be established by the NOAB with due consultation with the concerned OAA stakeholders for purposes of legitimacy, transparency and accountability, following the principle of inclusivity.

Rule 6.3. The TWG or Task Forces or lead implementing agency shall submit periodic accomplishment and annual reports to the NOAB and/or oral report on the status of the program/project implementation before the members of the NOAB.

Rule 6.4 A Quad Media – Information Education and Communication (Quad -IEC) mechanism shall, as far practicable, be established to disseminate the accomplishment report and relevant information on

the status of the programs and project implementation of the TWG and Task Forces. Accomplishment and monitoring reports shall be made accessible to the public through a dedicated website or any other media, including the LGUs' information mechanisms.

## **Section 7 Composition of the NOAB**

The NOAB shall consist of: (a) The Secretary of Agriculture, or his duly authorized permanent representative, with a rank of Undersecretary, as Chairperson; (b) The Secretary of Interior and Local Government, or his duly authorized representative, as Vice-Chair; (c) The Secretary of Science and Technology, or his duly authorized permanent representative; (d) The Secretary of Environment and Natural Resources, or his duly authorized permanent representative; (e) The Secretary of Education, or his duly authorized permanent representative; (f) The Secretary of Agrarian Reform, or his duly authorized permanent representative; (g) The Secretary of Trade and Industry, or his duly authorized permanent representative; (h) The Secretary of Health, or his duly authorized permanent representative; (i) Three (3) representatives from the small farmers; and (j) A representative each from the NGOs involved in sustainable agriculture for at least three (3) years; agricultural colleges and universities; and private sector or agribusiness firms; as members.

The designated aforementioned representatives of the various departments shall be occupying positions not lower than a bureau director level and shall be on a coterminous basis.

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 be conversant in organic agriculture and committed to the policies and programs provided under this Act.

The existing National Organic Agriculture Board created pursuant to Executive Order No. 481 shall continue to function until the new NOAB created herein has been constituted pursuant to Section 8 hereof.

Rule 7.1. The BAFPS and DOST shall come-up with the criteria for the selection of nominees for the three (3) representatives from the small farmers, NGOs, and private sector or agribusiness firms organizations, agricultural colleges and universities respectively,

subject to the approval of the NOAB. They shall likewise provide the deadline of submission of the aforementioned list of nominees.

Rule 7.2. The nomination of the small farmers, NGOs and private sector representatives shall be done through a broad consultation with the stakeholders, using their own selection process, in the three (3) major islands of the country. The list of nominees selected by the small farmers, NGOs and private sector representatives shall be submitted promptly to the Secretary of the DA in accordance with the deadline provided by the BAFPS and DOST, otherwise, the DA Secretary has the authority to select the aforementioned representatives.

Rule 7.3. The Secretary of DA shall appoint the members of the Board from the private sector, small farmers, NGOs, and agribusiness firms while the representative from the academe (i.e. SUCs and private HEIs) shall be appointed by the DOST from a list of 3 nominees for each category.

Rule 7.4. The existing NOAB created under EO 481 shall cease to function after the creation of the new NOAB.

Rule 7.5. An appointed member of the Board shall serve for a single term of three (3) years and cannot be reappointed for another term. Should a private sector or academe member of the Board fail to complete his/her term, the concerned Secretary shall appoint a successor from the same organization the private sector or academe represents. The successor shall only serve the unexpired portion of the uncompleted term.

Rule 7.6 A representative from small farmers shall be a member of a duly registered [and/or recognized by any government agencies] farmer organization, cooperative, federation and/or coalition organized for the purpose of promoting and practicing organic agriculture. One representative each shall come from Luzon, Visayas, and Mindanao. All small farmer representatives must always belong to different organizations or associations, a coalition of which shall be treated as one organization for purposes of this prohibition.

Rule 7.7 NGO's nominating a representative must be duly registered, nationally representing the NGO interests with proven track record for at least three years on sustainable agriculture.

Rule 7.8 A representative from the private sectors or agribusiness firms must be predominantly engaged in organic farming, processing,

trading of organic inputs and products.

## **Section 8 Organization of the NOAB**

Within sixty (60) working days from the effectivity of this Act, the national organization 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 to the NOAB.

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 also determine its budget, including travel expenses, allowances and per diems of its non-government members when attending official NOAB meetings or attending to matters assigned to them subject to accounting and auditing rules and regulations.

Rule 8.1 The NOAB shall hold quarterly meetings and special meetings when necessary. The presence of at least eight (8) including the chairperson of the NOAB shall constitute a quorum. In all cases, the presence of the Chairperson or his duly authorized representative shall be required.

Rule 8.2 Members of the Board sending representatives, not the duly authorized permanent or official alternate representative, to meetings shall be considered absent. Such representatives may participate in the deliberations during the meeting but is not entitled to vote.

Rule 8.3 Whenever the exigencies of the service demand as determined and certified by the Chairperson and the NOAB, the NOAB cannot be convened to a meeting for any valid reason, the Director of the BAFPS, is hereby authorized to submit via referendum, any matter for resolution and concurrence of a majority of the NOAB members or their duly designated representatives.

Rule 8.4 The chairperson and members of the NOAB shall be entitled to honoraria and other allowable emoluments as may be fixed by the NOAB for every meeting actually attended, subject to existing laws, rules and regulations.

Rule 8.5 The NOAB Secretary coming from the BAFPS as designated by the Chairperson shall keep all records relative to the meetings of the NOAB. He/she shall head the Secretariat and shall be responsible for administrative requirements of the NOAB. The NOAB Secretary shall be entitled to honoraria similar to that of the members of the NOAB.

Rule 8.6 Proceedings of the NOAB meetings and important issues and developments including the LGUs' information mechanisms shall be made available in a dedicated website and disseminated through quad-media.

## **Section 9 Powers and Functions of the NOAB**

The NOAB shall have the following powers and functions: (a) Formulate policies, plans, programs and projects to develop and promote organic agriculture, production, processing and trade; (b) Oversee the successful implementation of the National Organic Agricultural Program; (c) Identify sources of financing to expand organic agriculture; (d) Monitor and evaluate the performance of programs for appropriate incentives; (e) Undertake measures for the international recognition of local certification of organic products; (f) Call upon any government agency to carry out and implement programs and projects identified by the NOAB; (g) Call upon private sectors, POs and NGOs and the academe to provide advice on matters pertaining to organic agriculture and conduct of capability-building initiatives to farmers, producers, extension workers, consumers and other stakeholders in agriculture sector in coordination with the Agricultural Training Institute; (h) Submit annual and other periodic reports to the President, Secretary of the DA and Congress of the Philippines through the Congressional Oversight Committee on Agricultural and Fisheries Modernization (COCAFAM); (i) Promulgate such rules and regulations and exercise such other powers and functions as may be necessary for its effective operations and for the continued enhancement growth or development of organic agriculture.

Rule 9.1 The Board in coordination with other concerned agencies shall provide technical and networking assistance to expedite the processing of applications of locally accredited certifying bodies for international recognition. Such assistance shall include, but not limited to, proper endorsement of applications to the appropriate accrediting bodies.

Rule 9.2 The ATI shall immediately adopt existing guidelines for

the accreditation of the relevant extension service providers (ESPs) on organic agriculture, provided such ESPs have juridical status and have been duly registered with appropriate regulatory bodies, as sole proprietors, cooperatives, associations and corporations, and the funding thereof will be sourced from the DA and other government agencies. Such accreditation guidelines shall be submitted to the Board for final review and approval.

Rule 9.3 Only accredited extension service providers shall be tapped by the government for related group capacity building and on organic farming technologies training without prejudice to non-accredited organizations who have been conducting training prior to the passage of this Act. An individual service provider may be tapped for organic agriculture farming technologies and related trainings provided that he is either a member of the extension service provider or appropriately endorsed by such.

Rule 9.4 The ATI shall continuously undertake appraisal and evaluation of the capability and competence of accredited extension service providers.

Rule 9.5 The ATI shall encourage, support and provide continuous lifelong learning of all organic technologies and practices.

## **Section 10 BAFPS**

The BAFPS of the DA shall be strengthened and empowered in terms of establishing functional divisions and incremental staffing to serve as the national technical and administrative secretariat of the NOAB with the member agencies providing additional staff support as the need arises.

Rule 10.1 The Bureau is hereby authorized to submit its plantilla positions for the creation of an Organic Agriculture Division. This division shall be completed within a period of one (1) year from adoption of these rules.

## **Section 11 Powers, Duties and Responsibilities of the BAFPS**

The BAFPS, in addition to its existing functions and responsibilities shall perform the following functions, duties and responsibilities for purposes of this Act: (a) Implement organic agriculture programs and projects approved by the NOAB; (b) Update the NOAB on the status of the programs, projects and activities undertaken for the development and promotion of organic agriculture; (c) Creative

effective networking with the various stakeholders involved in organic production; and (d) Perform such other functions, duties and responsibilities as may be necessary to implement this Act and as directed by the NOAB.

Rule 11.1 A prior review and update of all existing government issuances, policies and programs shall be undertaken by the BAFPS to harmonize and strengthen them to be consistent with the provisions of this Act. Any recommendations made by the BAFPS shall be immediately forwarded to the NOAB for proper action.

Rule 11.2 A comprehensive NOAP shall be prepared consisting of the activities identified by concerned agencies subject to the approval of the NOAB.

Rule 11.3 Coordination among agencies and the NOAB shall be established to monitor the implementation of the activities outlined in the NOAP. The monitoring and evaluation mechanisms that will be put in place shall be participatory in nature to reach the grassroots level.

## **Section 12 Work Plan**

In line with the National Organic Agricultural Program, the BAFPS shall submit to the Board for approval the following:

- (a) A plan of bringing the program down to the grassroots, utilizing available personnel and facilities on the local level and those of LGUs;
- (b) A pattern of cooperation and mutual assistance with LGUs, POs and NGOs, which will maximize people empowerment and participatory approaches to program formulation, implementation and monitoring; and
- (c) A schedule of short-term, medium-term and long-term targets on research and development, marketing, trade promotion/initiatives, capacity building, among others.

Rule 12.1 The NOAB, shall formulate institutional mechanisms and arrangements that will ensure the effective implementation of the Work and Financial Plan and further assist BAFPS in carrying out the plan in a most expeditious, efficient and cost-effective manner. This must be achieved through effective coordination and networking among appropriate national government agencies and the LGUs as well as the existing network of organic producers and their support organizations including the small farmers/OSFOs, OFOs, agrarian reform beneficiaries, landless farm workers and indigenous peoples.

Rule 12.2 The Work and Financial Plan shall include provisions for organic conversion farming, the protection of organic farms from land conversion, pollution and environmental contamination and degradation.

Rule 12.3 The formulation of the work and financial plan shall ensure the interest of the organized consumer groups through their active participation and involvement in the formulation of the Work Plans.

### **Section 13 Organic Agriculture and the Protection of the Environment**

The NOAB shall constantly devise and implement ways and means not only of producing 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, collecting and composting. The BAFPS 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.

Rule 13.1 The policies and principles as embodied in the OAA shall be institutionalized in the MTPDP as a major framework for agricultural, rural and sustainable development.

Rule 13.2 The adoption of organic agriculture through the implementation of NOAP projects and activities shall consider strategies to promote the low carbon development path. Provisions for “Carbon Credits” in accordance with the Kyoto Protocol and other guidelines issued by the NOAB shall be established.

Rule 13.3 Organic Agriculture promotion and related activities should at all times consider strategies for ecological stewardship.

Rule 13.4 The DA and the NOAB shall identify protected areas legislated as such under the National Integrated Protected Areas System Act (NIPAS Act) and areas adjacent to water tributaries delineated as Organic Agriculture Zones in coordination with the proper government agency. Water resource users through institutional arrangements should be tapped to protect and develop these Organic Agriculture Zones.

Rule 13.5 Programs and activities for the application, practice and

adoption of organic agriculture throughout the country shall give due recognition and importance to reforestation activities and undertakings.

Rule 13.6 Organic agriculture programs, projects and activities shall give focus on the proper disposal and recycling of wastes involving the local waste management of LGUs, entrepreneur and private entities for the production of organic fertilizer in accordance with the Ecological Solid Waste Management Act and the Sanitation Code of the Philippines.

Rule 13.7 Organic agriculture activities, programs, and projects shall also focus on resource consciousness within the framework of ecological resource management, such that resources usually considered as waste will be used best to promote organic farming as well as to conserve, protect, and enhance diminishing and degraded natural resources through the Ecology Center System. Households, farms and the respective barangays with the support of the municipal/ city and provincial government will seriously and thoroughly carry out waste prevention and waste sorting and segregation at sources, recycling and composting to prevent garbage dumpsites and terminate burning resulting in (a) the production of compost for organic fertilizer form the source, particularly the households and farms, and by the farmers themselves; (b) replenishment of diminishing resources such as the forests through the establishment of seedling banks in the barangay ecology center nurseries using the seeds collected from households and farms; (c) prevention of raw materials extraction with the promotion of recycling; and (d) arrest of further degradation and pollution of the environment which work against organic farming and contribute to global warming and climate change.

Rule 13.8 The DA, with the cooperation of the DENR and the LGUs, should ensure the mitigation of seepages and run-offs from dumpsites and mining activities pursuant to the guidelines and standards outlined in the OAA, and consistent with these rules and all other related enactments.

Rule 13.9 Policies related to organic agriculture recognizes the principles that polluters must pay in accordance with this Act and the Clean Air and Clean Water Acts. Guidance on providing comprehensive air and water pollution control policies and giving more concern on the prevention of air pollution through proper delegation should be given priority. The DA shall ensure that the roles and responsibilities of the LGUs, POs, NGOs, as well as the academe, should be identified.

Rule 13.10 The joint efforts of the DA and the DENR shall ensure that upland communities adopt agroforestry and practice soil and water conservation technologies and the implementation of organic agriculture in their farming practices in accordance with the Community Based Program of the DENR. Mitigating measures to prevent soil and water acidification shall be ensured.

Rule 13.11 The concept and practice of organic agriculture shall be supported for building the capacity for enterprise development consistent with the Environment and Natural Resources (ENR) Enterprise Development Project and other related programs of the government.

Rule 13.12 The DA shall encourage the DENR to align its guidelines and regulations taking into account the existing indigenous knowledge systems, local community practices and prevailing organic agriculture standards to encourage and promote organic agriculture more specifically for sustainable wildlife product collection in order to prevent overharvesting and ensure sustainability.

13.13 The joint bioprospecting guidelines issued by the Department of Agriculture (DA)-Department of Environment and Natural Resources (DENR)-National Commission on Indigenous People (NCIP)-Palawan Council for Sustainable Development (PCSD) shall be reviewed and re-crafted to consider its alignment with the provisions of this Act.

13.14 The DA and the NOAB shall seek assistance and maintain coordination with the appropriate department or government agency in ensuring the implementation of the provisions of Rules 13.8 to 13.13 hereof.

## **Section 14 Local Executive Committees**

Every provincial governor shall, insofar as practicable, form a provincial technical committee, and which shall, in coordination with and assistance of the BAFPS/DA-Regional Field Units (RFUs) implement activities in line with the National Organic Agricultural Program within each province.

Every municipal mayor shall likewise, insofar as practicable, form a municipal technical committee for purposes of implementing activities in line with the National Organic Agricultural Program within each municipality.

A local government unit that intends to shift its area of responsibility to organic agriculture must ensure that local industries have been adequately informed and consulted and that a viable plan to ensure supply for vulnerable industries is in place.

The governors shall monitor implementation of and compliance with this Act within their respective jurisdictions.

Rule 14.1 In coordination with the League of Cities, Municipalities, and Provinces, the BAFPS shall prepare an OA program that will directly benefit the grassroots.

Rule 14.2. The DA shall assist the local chief executives of LGUs in organizing the provincial/municipal/city Technical Committee on Organic Agriculture (LTC/OA) which may be composed, among others, of members similar to that of the NOAB, with an additional member representing the consumer group, if any and the SB member representing the agriculture sector or organized according to the needs of the LGU. The said technical committee shall be chaired by the local chief executive. Representation of NGOs, academe, private business, and small farmers shall be drawn through their own processes of selection.

Rule 14.3 The said technical committee shall review, consolidate and endorse local organic agriculture plans, programs, projects and activities (as a component of the NOAP) to the NOAB through the TWGs and follow-through their implementation at their levels. The Organic Agriculture Plan shall form part of the Local Development Plan, local development investment program and annual investment plan.

Rule 14.4 The Local Government Units (LGUs) as front liners in the implementation of the program shall pass, provincial and/or city/municipal ordinances and/or resolutions as appropriate, thereby specifying the participatory and bottom-up approach to grassroots organic agricultural programs and projects and subsequently approving and adopting the Provincial, Municipal or City Organic Agriculture Program and/or elaborating the National Organic Agricultural Program as a strategy in addressing concerns on food security, environment, health and wellness and poverty alleviation through their Sanguniang Bayan/Panlungsod/Panlalawigan, and appropriating funds for the purpose.

Rule 14.5 The Department of Agriculture shall instruct the regional

field offices to provide assistance to the local technical committees, work closely with the OA stakeholders, be responsible for integrating the regional organic agriculture plans, programs, project budgetary requirements and in monitoring organic agriculture project implementation in the region. The regional office shall be responsible for designating a focal person.

Rule 14.6 The DA shall request the other appropriate Departments to likewise designate focal persons to serve as counterpart to the DA Organic Agriculture focal person.

## **Section 15 Accreditation of Organic Certifying Body**

The BAFPS is hereby designated and authorized to grant official accreditation to organic certifying body or entity. The BAFPS is tasked to formulate the necessary rules and procedures in the accreditation of organic certifying body: Provided, That there shall be at least one (1) accredited organic certifying body each in Luzon, Visayas and Mindanao or in case of only one (1) organic certifying body is accredited, it shall have at least one (1) satellite office or processing unit each in Luzon, Visayas and Mindanao.

Rule 15.1 There shall be a transition period of two (2) years for the mandatory implementation of the 3rd Party certification. During the transition period, the 1st Party and 2nd Party, the community based and participatory guarantee systems side by side with 3rd Party Certification shall be recognized. Thereafter, the provisions of the OAA, particularly Section 17 thereof, as well as these rules, shall be in full force and effect.

Rule 15.2 The guidelines, rules and procedures for accreditation of local and international certifying bodies shall be revisited prepared and updated by Technical Working Group chaired by BAFPS for approval by the NOAB. Such guidelines shall be reviewed regularly by the NOAB.

Rule 15.3 For local certifying body, the herein attached rules and procedures shall be complied with. In addition, application as CB shall be processed within thirty (30) calendar days upon submission of completed documents.

Rule 15.4 BAFPS is authorized to organize an accreditation committee subject to the approval of the NOAB to be composed of concerned agencies and department, organic small farmers organizations, OFOs, NGOs, consumer groups, academe, and the private sector, whose sole

function is to evaluate and approve the accreditation of certifying bodies.

Rule 15.5 Accreditation guidelines, rules and procedures shall be disseminated through Quad Media – IEC and posted in its dedicated website, including the LGUs’ information mechanisms.

## **Section 16 Registration of Organic Food and Organic Input Producers**

All organic food and input establishments must register with the director, BAFPS, registration under this section shall begin within ninety (90) days of the enactment of this Act. Each such registration shall be submitted to the director through an electronic portal and shall contain such information as the director by guidance may determine to be appropriate. Such registration shall contain the following information:

- (a) The name, address and emergency contact information of each organic food or input establishment that the registrant owns or operates;
- (b) The primary purpose and business activity of each organic food or input establishment; including the dates of operation if the organic food establishment is seasonal;
- (c) A list of the organic food or input produced and corresponding brand names;
- (d) For organic food establishment, the name, address and contact information of the organic food certifying body that certified the organic products sold by the company;
- (e) An assurance that the registrant will notify the director of any change in the products, function or legal status of the domestic food establishment (including cessation of business activities) not later than thirty (30) days after such change; and
- (f) For organic input producers, a list of materials used in the production of each particular input.

Rule 16.1 Applications for registration shall be subjected to a validation process by BAFPS.

Rule 16.2 All organic input suppliers shall register with the BAFPS within sixty (60) days after effectivity of this IRR, without prejudice to their compliance with the policies and guidelines (i.e. licensing, product testing, etc.) of concerned competent regulatory agencies.

Rule 16.3 The registration of organic products and inputs which are currently with the Fertilizer and Pesticide Authority (FPA) shall

continue to be valid until the expiration of said license. Thereafter, registration of such products shall be done by BAFPS.

Rule 16.4 All organic seeds and planting materials which are currently registered in the National Seed Certification Board/Bureau of Plant Industry shall be re-evaluated by the BAFPS, consistent with the provisions of this Act and the PNS. However, these products and inputs shall continue to be valid until the expiration its license. Thereafter, registration of such products shall be done by BAFPS.

Rule 16.5 All organic livestock, poultry and aquaculture stocks which are currently registered with the BAI and the Bureau of Fisheries and Aquatic Resources mandated to give licenses and accreditation shall be re-evaluated by the BAFPS, consistent with the provisions of this Act and the PNS. However, these products and inputs shall continue to be valid until the expiration its license. Thereafter, registration of such products shall be done by BAFPS.

Rule 16.6 The FPA, NSCB, BPI, BAI and BFAR shall review and recast their licensing requirements and procedures for OA products and inputs, to be consistent with the provisions of this Act. The DA and the Food and Drug Administration (FDA), however, shall draft their own joint guidelines on the regulation of “processed organic food.”

Rule 16.7 Community based/Small farmers organic inputs and products shall be recognized by the BAFPS through the LTC/OA.

Rule 16.8 BAFPS shall publish fees for licensing, certification and registration.

## **Section 17 Labeling of Organic Produce**

The label of organic produce shall contain the name, logo or seal of the organic certifying body and the accreditation number issued by the BAFPS. Only third party certification is allowed to be labeled as organically produced.

Rule 17.1 Consistent with Rule 15.1 and its guidelines, rules, and procedures, there shall be a transition period of two years for this provision to be fully implemented. During this period, labeling of organic products shall be based on 1st, 2nd, and 3rd Party Certifications.

Rule 17.2 The DA and other member Departments of the NOAB, including related government agencies, with support from the LGUs,

shall conduct a sustained and massive National and Community Based Quad Media IEC to promote and advocate OA farming systems adoption and accreditation during the transition period. In addition, capacities and resource capabilities of organic stakeholders shall be given full support and technical assistance.

Rule 17.3 In relation to this provision, the guidelines, rules, and procedures for labeling shall be developed by BAFPS through consultation and substantive participation of OA stakeholders. Thereafter, these guidelines, rules, and procedures shall be disseminated through Quad Media – IEC and posted in its dedicated website, including the LGUs’ information mechanisms.

Rule 17.4 This provision shall be implemented without prejudice to the provisions of the Consumer Act of the Philippines.

## **Section 18 Retailing of Organic Produce**

Retail establishments or stores of organic produce shall designate a separate area to display the organic produce to avoid mixing it with non-organic produce.

Rule 18.1 Guidelines, rules, procedures for retailing of organic products shall be immediately formulated by NOAB through the TWG/TF, and BAFPS. These shall be undertaken through a consultative multi-agency and multi-stakeholders (LGUs, NGOs, academe, small farmers organizations, OFOs, consumer, retailers, and other organic agri-business groups) participatory processes.

Rule 18.2 Retail establishments such as supermarkets, malls and similar establishments shall specifically designate an area where organic products are conspicuously displayed. Mixing non-organic and organic products is not allowed. Only products verified and certified as organic in accordance with Rules 15.1, 16.1, 17.1 and 18.1, shall be displayed in the organic section and labeled as such.

Rule 18.3 IEC materials and collaterals attesting to the advantages of consuming organic foods should be placed in said retail establishments.

Rule 18.4 The LGUs shall establish dedicated stalls in the public markets and organize a special market day for organic products.

## **Section 19 Availability of Trading Posts for Organic Inputs**

Local chief executives shall establish, as far as practicable, at least

one (1) trading post for organic inputs for every LGU in their area of jurisdiction.

Rule 19.1 Provided that the establishment of a trading post for organic inputs is feasible, the Local Government Units (LGUs), on their own, shall establish such trading post.

Rule 19.2 Organic inputs to be sold in the trading posts must comply with the standard specifications established by the NOAB through BAFPS and as outlined by these rules.

## **Section 20 Research, Development and Extension**

The Bureau of Agricultural Research (BAR), as the lead agency, shall coordinate with the other agencies of the DA, the Department of Agrarian Reform (DAR), the Department of Science and Technology (DOST), the Department of Education (DepED), the Department of Interior and Local Government (DILG), the strategic agriculture-based state universities and colleges (SUCs) including private organizations, to develop, enhance, support and consolidate activities and related technologies for the formulation and implementation of a unified and integrated organic agriculture RDE plans and programs from the national to the field level. The organic agriculture RDE plans and programs shall include, but not be limited to, the following: (a) Research, development and commercialization of appropriate, innovative and viable organic agricultural technologies; (b) Nationwide promotion of developed and commercially viable biodegradable farm wastes and by-products through various extension strategies to accelerate the production, use and distribution of organic fertilizers; and; (c) Conduct research for market development, policy formulation, regulation and certification.

Rule 20.1 The BAR shall create and/or strengthen a Unit that will handle the overall planning, coordination, implementation and monitoring of the Organic Agriculture Research Program following the bottom up participatory planning approach. Corresponding budget shall be allocated for the creation, planning, implementation, monitoring, and evaluation of aforesaid Unit.

Rule 20.2 BAR shall establish and maintain a database and information system on Organic Agriculture Research and Development Program. It shall likewise coordinate with other agencies on data and information on Organic Agriculture that will form part of the system.

Rule 20.3 An inter-agency committee shall immediately be created

and chaired by BAR with members from concerned departments (i.e. DAR, DOST, DepED, CHED, DILG, DoE), SUCs, alternative learning institutions, NGO research service providers, organic small farmer organizations and cooperatives, and other Higher Education Institutions (HEIs) that will oversee the implementation and monitoring of national RDE programs on organic agriculture and provide relevant recommendations during the implementation process to the NOAB.

Rule 20.4 A mechanism that enhances the consultation process with small farmers taking into account their needs and priorities for research shall be established by the inter-agency committee with the aim of making research more community responsive, appropriate and friendly to small organic farmers/practitioners.

Rule 20.5 A mechanism should be established ensuring that conduct of R&D activities are based on sound scientific process, community indigenous knowledge, systems and practices (IKSP), and eventually facilitate organic farms to produce products compliant with the Philippine National Standards for Organic Agriculture.

## **Section 21 Creation of the Organic Agriculture RDE Network**

An organic agriculture RDE network shall be organized by the BAR, composed of research and educational institutions, LGUs, nongovernment agencies and the recognized association or organic fertilizer manufacturers and distributors, agricultural engineers, agriculturists, soil technologists, farmers group and/or associations.

Rule 21.1 The NOAB, in collaboration with BAFPS, BAR and PCARRD shall serve as the data information center and shall integrate and disseminate these data through electronic and other means to interested stakeholders through the existing RDE Organic Network website.

Rule 21.2 The BAR of the DA and PCARRD of DOST through their RDE network shall identify, prioritize and implement through its collaborating agencies research projects and related activities on organic agriculture while the BPI, PhilMech and such other agencies shall primarily focus its assistance on the development of organic farming systems pursuant to their organizational mandates. The ATI, RFUs, LGUs, organic small farmer organizations and NGOs providing RDE services, in close partnership with local and community-based service providers, shall undertake technology transfer and related extension activities.

Rule 21.3 The DA and other research agencies, SUCs, alternative learning institutions and other Higher Education Institutions (HEIs) are encouraged to go into co-financing agreements with the private sector and Official Development Assistance providers (ODAs) in the conduct of research, development and extension activities provided that the terms and conditions of the agreements are beneficial to the country.

## **Section 22 RDE Centers**

National, regional and provincial organic R&D and extension centers shall be organized, established and integrated as a major component of the existing RDE centers of the DA, the DOST, the DENR, SUCs and the LGUs. These will be strengthened and enhanced to spearhead the integrated program to develop and promote organic agriculture throughout the country.

Rule 22.1 National, regional, provincial, community based organic learning/training centers shall be established building on and or strengthened from existing RDE centers.

Rule 22.2 National, regional, provincial and Organic Research and Extension Programs shall be formulated, organized, planned, implemented, integrated and strengthened from existing research and extension programs of the RDE centers of the DA, DOST, DENR, SUCs, LGUs and organic farming community based learning/training centers.

## **Section 23 Organic Agriculture in the Formal and Non-formal Sectors**

The National Government, through the DepEd, with its mandate and in coordination with concerned government agencies, NGOs and private institutions, shall strengthen the integration of organic agriculture concerns in school curricula at all levels.

Rule 23.1 The Department of Education together with the Department of Agriculture, shall jointly:

Rule 23.1.1 Central Office:

a. Incorporate the philosophy and principles of organic agriculture, its importance, techniques and skills on the practice of organic agriculture in the basic education curriculum and alternative learning system (ALS) curriculum preferably translated in Filipino and other local languages.

- b. In consultation with organic agriculture practitioners and/or experts, include in their development of teacher training programs a module that would enhance competencies of teachers in the management and instructional delivery of philosophy and principles of organic agriculture, its importance, techniques and skills on the practice of organic agriculture;
- c. Include organic farming as one module under the ALS livelihood programs for out-of-school youth (OSY) and adult learners;
- d. Include in their development of textbooks, learning and instructional materials philosophy and principles of organic agriculture its importance, techniques and skills on the practice of organic agriculture;
- e. In partnership with DA and other concerned departments and institutions, develop information, education and communication (IEC) materials on organic agriculture that can be easily understood by students and parents;
- f. Establish linkages with DA and NOAB member agencies, other concerned government agencies, LGUs, NGOs, organic farmer organizations and other concerned stakeholders, and media partners for a nationwide promotion, adoption and practice of organic agriculture.

#### 23.1.2 Regional Offices:

- a. Include in their regular planning, monitoring and evaluation of Divisions' activities the integration of organic agriculture in the Divisions' educational planning and implementation of school and ALS curriculum. The Regional Offices shall likewise include in their conduct M&E, the Divisions' training of teachers and mobile teachers on organic agriculture, localization of instructional and learning materials to include philosophy and principles of organic farming, implementation of ALS programs on organic farming, organic agriculture-advocacy activities and others;
- b. Include in their provision of support services to the Divisions, technical and financial assistance for the Divisions' implementation of organic agriculture-related activities;

#### 23.1.3 Division Offices:

- a. In partnership with the Provincial, City and Municipal agriculturists, the DepEd Division Offices shall include in its implementation the training programs for teachers and mobile teachers, development of training modules on organic agriculture, its importance, techniques and skills in the practice of organic agriculture;
- b. Encourage schools and community learning centers (only when appropriate) to establish organic gardens in their areas where children student and learners could practice organic farming;

c. Include in their provision of support to the schools/community learning centers, technical assistance in the schools' implementation of organic agriculture and related activities;

23.1.4 Schools:

a. Schools are encouraged to promote, develop and adopt a holistic program on organic agriculture farming systems and ensure its implementation;

b. Encourage school heads to establish organic gardens that shall showcase organic farming technologies. Schools in urban areas are encouraged to practice organic urban farming technologies;

c. Schools shall offer organic foods in their canteens to enhance consumption of safe, healthy and nutritious food;

d. Assign one schoolteacher/mobile teacher preferably the Technology and Livelihood Teacher Coordinator to serve as a focal person on organic agriculture. The focal person shall act under the supervision of the School Head under the guidance of the school governing board;

e. Strengthen linkages with the community, LGUs, local government offices, NGOs, small farmers, organic farmers' organizations, and media partners to implement advocacy strategies that will promote organic farming technologies such as among others regular competitions on Best Practices on Organic Agriculture; exposure or field trips to local organic farms;

f. Tap organic agriculture practitioners and/or experts in organic agriculture to serve as guest lecturers;

Rule 23.2 The Department of Education, through its Secretary, shall issue a Department Order that will detail the implementation and provision of budgetary support for these provisions of the IRR.

Rule 23.3 The NOAB shall call upon the CHED, TESDA and other educational institutions to institutionalize the integration of organic agriculture concerns in their curricula and other operational activities consistent with the provisions of this IRR.

## **Section 24 Incentives**

The government shall extend incentives for the production and propagation of organic farm inputs by maximizing their use in all government and government-supported agricultural production, research and demonstration programs. Incentives shall also be provided to farmers whose farms have been duly certified as compliant to the Philippine National Standards (PNS). Further, the DA may give cash reward in recognition of the best organic farm in the country. The DA, the DAR, the DOST, the DILG, the Department of Trade and

Industry (DTI), the DepEd, the Department of Finance (DOF), the Land Bank of the Philippines (LBP), and other government lending and non-lending institutions shall also assist organic input producers and organic farmers through the provision of adequate financial, technical, marketing and other services and resources.

- (a) Exemption from the payment of duties on the importation of agricultural equipment, machinery and implements as provided under Republic Act No. 9281, which amends Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act (AFMA);
- (b) Identification by LGU of local taxes that may be offered as incentives to organic input production and utilization;
- (c) Provision of preferential rates and special window to organic input producers and users by the LBP;
- (d) Subsidies for certification fees and other support services to facilitate organic certification;
- (e) Zero-rated value-added tax (VAT) on transactions involving the sale/purchase of bio-organic products, whether organic inputs or organic produce; and
- (f) Income tax holiday and exemption for seven (7) years, starting from the date of registration of organic food and organic input producers on all income taxes levied by the National Government.

Rule 24.1 In line with the provisions of this Act, the Department of Finance, Bureau of Internal Revenue and other government financing institutions are called upon to review and align their existing guidelines or issue new ones with a view of granting incentives and other benefits to the organic agriculture farming system.

Rule 24.2 The concerned agencies shall issue their respective guidelines for the proper implementation of the provisions of this Act.

Rule 24.3 The following incentives shall be given only to organic agriculture entities/farmers registered with BAFPS and those which are classified as micro, small and medium enterprises. The BAFPS shall annually provide the Department of Finance list of qualified entities/farmers and enterprises, among others.

Rule 24.4 The Local Government Units are encouraged to provide incentives to organic input production either through reduction of amount of local taxes, fees, and charges imposed or exemption on business taxes. The LGUs through its Sanggunian shall determine the incentives, the amount and duration of exemption to be granted.

Rule 24.5 The LGUs together with GFIs shall put up and provide

guarantee funds for small organic farmers, artisanal fisherfolks and indigenous peoples.

Rule 24.6 Duly certified organic farms shall be provided subsidy of the total certification cost subject to the guidelines of the NOAB.

Rule 24.7 Subsidy shall be granted only to organic farmer producers whose products are intended for local market. For products intended for the export market, subsidy shall be given only to MSMEs, indigenous people and agrarian reform beneficiaries.

Rule 24.8 The validity of the certification is for one (1) year. The subsidy may be availed of for 3 times subject to annual renewal of application.

Rule 24.9 Only farms which have complied with the organic agriculture standards as evidenced by the actual inspection report shall be entitled to subsidy. In case of denial of the application and upon proof of non-compliance of the “must be” complied requirements of the standard, the farmer applicant shall bear the cost of certification.

Rule 24.10 Group certification for contiguous farms adopting the same farming system shall be encouraged.

Rule 24.11 In case of funding constraints, small land and aquaculture farms, MSMEs, indigenous people, ARBs shall be accorded the top priority for the granting of the subsidy.

Rule 24.12 Certified farms found violating the terms and conditions of the certification agreement shall no longer be entitled to subsequent subsidy. If there is an appeal, said farms, shall after verification and show proof of compliance, shall be eligible for subsidy.

Rule 24.13 The cost of recertification shall be valid only for two applications. Thereafter, a socialized subsidy based on the farmers income, farm size and crops grown shall be granted. A detailed guideline for socialized subsidy shall be set by the Board.

Rule 24.14 The cost of certification and related expenditures of individual farms entitled to subsidy should be less than 10% of the market price of the estimated total organic produce. For group certification, it should not be less than 5% of the market price.

Rule 24.15 The certification cost charged by the duly accredited certifier shall include the application and processing fees and other

reasonable related costs such as traveling expenses and per diems of inspectors stationed within the major island of the country where the farm to be inspected is situated.

Rule 24.16 The certification cost, in case of many certifiers, shall fall within an appropriate range considering substantial variations in certification cost.

Rule 24.17 The subsidy shall be paid directly to the certifier upon certification of the inspected farm.

Rule 24.18 The certifier must conduct inspection only in areas where they are qualified and deputized as reflected in their manual of operations.

Rule 24.19 The certifier must notify BAFPS at least seven (7) working days prior to a scheduled inspection before conducting the actual inspection. A notice to proceed shall be transmitted within three (3) days after notification.

Rule 24.20 The availment of the abovementioned incentives shall be subject to evaluation of BAFPS in coordination with or through joint efforts with the concerned agencies implementing the particular incentives availed of.

24.21 The BAFPS, BIR and BLGF-DOF shall, within six (6) months from issuance of this IRR, formulate the guidelines of this provision upon due consultation with concerned organic farming stakeholders. This guideline shall outline provisions wherein businesses can avail the incentives particularly the zero rated vat for bio-organic products and income tax holidays.

24.22 Organic farms shall be covered under the Philippine Crop Insurance Corporation (PCIC) guidelines and policies.

## **Section 25 Appropriations**

The sum of Fifty million pesos (PhP 50,000,000.00) and the existing budget for the promotion of organic farming of the DA is hereby appropriated for the initial year of implementation of this Act. Thereafter, such amount as may be necessary for the continuous operation of the NOAB and the implementation of the program shall be included in the annual General Appropriations Act (GAA).

The NOAB is hereby authorized to solicit and accept assistance or facilities in the form of grants 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.

Rule 25.1 Funds shall be allocated out of the 50M appropriation to support the coordination, implementation, and monitoring and evaluation, of the research, development and extension activities on Organic Agriculture Program.

Rule 25.2 The DA shall thereafter allocate the amount of at least 2% of its annual budget for the implementation of the Organic Agriculture Programs.

## **Section 26 Penal Provisions**

Any person who willfully and deliberately: (a) obstructs the development or propagation of organic agriculture, or the manufacture, production, sale or use of organic agricultural inputs; (b) refuses without just cause to extend the support and assistance required under this Act; and (c) mislabels or claims that the product is organic when it is not in accordance with the existing standards for Philippine organic agriculture or this Act shall, upon conviction, be punished by imprisonment of not less than one (1) month nor more than six (6) months, or a fine of not more than Fifty thousand pesos (P50,000.00), or both, at the discretion of the court. If the offender is a corporation or a 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 27 Implementing Rules and Regulations.**

The NOAB shall adopt rules and regulations to implement the provisions of this Act within ninety (90) days from the effectivity of this Act and submit the same to the COCAFm for review and approval. In the drafting of the implementing rules and regulations, the DOF shall be consulted in connection with the tax incentives provided under Section 24 hereof.

## **Section 28 Annual report**

The NOAB shall render an annual report to both House of Congress on the accomplishment of the program. A review on the viability of the program shall be made by the concerned agencies after 3 years of

implementation.

Rule 28.1 Annual reports, to include the work accomplishments and financial statements shall be submitted to OA stakeholders and shall be disseminated in Quad Media and posted in a dedicated website, including the LGUs' information mechanisms.

Rule 28.2 The COA report on this regard shall also be disseminated in Quad Media and posted in a dedicated website, including the LGUs' information mechanisms

## **Section 29 Congressional Oversight Committee**

The COCAFAM shall be the congressional oversight committee for purposes of this Act. The COCAFAM shall review and approve the implementing rules and regulations of this Act and also perform the following functions:

- (a) Monitor and ensure the proper implementation of this Act;
- (b) Review the proper implementation of the programs on organic agriculture and the use of its funds;
- (c) Review the performance of the NOAB; and
- (d) Such other functions it deems necessary.

Rule 29.1 This IRR shall recommend the participation of concerned OA stakeholders, such as but not limited to small farmers, NGOs, academic and private sector, in the COCAFAM as observers to contribute to review and further recommend enhancements to this Act, its strategies, programs, plans and budget.

## **Section 30 Separability Clause**

If any section or provision of these Rules and Regulations is held or declared unconstitutional or invalid by a competent court, the other sections or provisions hereof shall continue to be in force as if the sections or provisions so annulled or voided had never been incorporated herein.

## **Section 31 Repealing Clause**

All Rules and Regulations or parts of said rules and regulations of pertinent laws inconsistent with these Rules and Regulations are hereby revised, amended, modified and/or superseded as the case may be by these Rules and Regulations.

**Section 32 Effectivity**

These Implementing Rules and Regulations shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in at least two (2) newspapers of general circulation. The UP Law Center's Office of National Administrative Register shall be provided copy of this IRR.

October 4, 2010, Department of Agriculture, Diliman, Quezon City



**PROCESO J. ALCALA**  
Secretary

**APPROVED BY THE CONGRESSIONAL OVERSIGHT COMMITTEE ON  
AGRICULTURE & FISHERIES MODERNIZATION (COCAFAM)  
THIS 31<sup>ST</sup> DAY OF JANUARY 2011**



(SGD)  
**SEN. FRANCIS N. PANGILINAN**  
Chairman, COCAFAM



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Department of Agriculture

**BUREAU OF AGRICULTURE & FISHERIES PRODUCT STANDARDS**

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