



Republic of the Philippines
Department of Agriculture
OFFICE OF THE SECRETARY
Elliptical Road, Diliman, Quezon City 1101 Philippines

Administrative Order No. _____
Series of 2006

**SUBJECT: IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER
481 FOR THE PROMOTION AND DEVELOPMENT OF ORGANIC
AGRICULTURE IN THE PHILIPPINES**

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WHEREAS, it shall be the declared policy of the State to promote, develop and sustain organic agriculture as a farming technology in agricultural communities, establish effective networking and collaboration with the stakeholders in the organic agriculture supply chain, guarantee food and environmental safety by means of an ecological approach to farming and ensure the integrity of organic products through approved organic certification procedures;

WHEREAS, on December 27, 2005, Her Excellency President Gloria Macapagal Arroyo approved the Executive Order 481 for the Promotion and Development of Organic Agriculture in the Philippines;

WHEREAS, under Section 10 of the Executive Order 481, the Department of Agriculture, through the Bureau of Agriculture and Fisheries Product Standards shall formulate the implementing rules and regulations to carry out the provisions of the said Executive Order;

NOW, THEREFORE, I, DOMINGO F. PANGANIBAN, Secretary of the Department of Agriculture, by virtue of the powers vested in me by the existing laws, do hereby issue this Order governing the promotion and development of Organic Agriculture in the Philippines:

**PART I
GENERAL PROVISIONS**

**RULE I
PRELIMINARY PROVISIONS**

Section 1. Scope

This IRR prescribes the implementing procedures, processes and networking arrangements with the various stakeholders to promote, develop and sustain organic agriculture in accordance *with* the National Organic Agriculture Program; the functions, duties and powers of the National Organic Agriculture Board (NOAB), the National Technical Committee (NTC) and the Technical and Administrative Secretariat of the NOAB and the NTC; and the responsibilities of government departments and agencies and other entities with respect to the implementation of this Administrative Order.

RULE II DEFINITION OF TERMS

Section 2. With respect to the technical terms, this IRR adopts the definitions contained in the Philippine National Standards for Organic Agriculture (PNS/BAFPS 07:2003 ICS.65.020)

For the purpose of the IRR, the following other terms and phrases are hereby defined. Also, some terms covered by the PNS/BAFPS 07:2003 have their definitions restated for ready reference:

- 1) Agricultural inputs** – all substances or materials used in the production or handling of organic products
- 2) Agricultural products** – any agricultural commodity or product, whether raw or processed, including any commodity or product derived from crops or livestock, for human or livestock consumption
- 3) Certified operation** - a crop or livestock production, wild-crop harvesting or handling operation, or portion of such operation that is certified by an accredited certifying agent such as utilizing a system of organic production
- 4) Conventional agriculture** – farming systems dependent on the input of inorganic fertilizers and/or “synthetic” pesticides or failing to conform to the Philippine National Standards in any other way
- 5) Farm unit** – an agricultural area or production managed organically, which a farmer or a group owns or in any other way is responsible for
- 6) Label** – a display of written, printed, or graphic material on the immediate container of an agricultural product or any such material affixed to a bulk container containing an agricultural product, except for package liners or a display of written, printed, or graphic material which contains only information about the weight of the product.
- 7) Labeling** – any written, printed, or graphic presentation that is present on the label of a product accompanies the product or displayed near the product
- 8) Livestock** – any cattle, sheep, goat, swine, poultry, or equine animals used for food or in the production of food, fiber, feed, or other agricultural-based consumer products; wild or domesticated game; or other non-plant life, except such term shall not include aquatic animals for the production of food, fiber, feed, or other agricultural-based consumer products
- 9) Organic** – in this text, the word refers to the particular farming and processing systems described in these standards and not in the classical chemical sense (The latter shall be clearly marked with a + for ease of identification). The term Organic is nearly synonymous in other languages to “biological” or “ecological”.

“Organic is also a labeling term that denotes products according to organic standards.

10) Organic Agriculture – “includes all agricultural systems that promote the environmentally, socially and economically sound production of food and fibers. These systems take local soil fertility as a key to successful production. By respecting the natural capacity of plants, animals and the landscape it aims to optimize quality in all aspects of agriculture and the environment. Organic agriculture dramatically reduces external inputs by refraining from the use of chemo-synthetic fertilizers, pesticides and pharmaceuticals. Instead it allows the powerful laws of nature to increase both agricultural yields and disease resistance.” Definition of IFOAM (International Federation of Organic Agriculture Movements).

11) Standards – are norms, sets of guidelines, requirements and principles that are used as in organic agriculture and processing. The term “standards”, as used here refers to Philippine National Standards relevant to local agro-ecosystems production.

12) Restricted inputs – inputs for which there are conditions for the use imposed by the certification program

13) NGO - A non-governmental organization (NGO) is any non-profit, voluntary citizens' group which is organized on a local, national or international level

14) Civil Society - All institutions and organizations outside of Government. In the context of welfare this includes: trade unions, consumer organizations, the formal and informal welfare sectors, non governmental organizations (NGOs) and community-based organizations (CBOs), religious organizations delivering welfare services, corporate social investment, employee assistance programs, occupational social work and social workers in private practice.

PART II MAJOR PROVISIONS

RULE III ESTABLISHMENT OF THE NATIONAL ORGANIC AGRICULTURE PROGRAM

Section 3. The Department of Agriculture shall hereby establish a separate and distinct program known as the “National Organic Agriculture Program” which shall primarily focus on, but not limited to the following:

- a) Regulations and Guidelines
- b) Certification and Accreditation
- c) Market Promotion and Networking
- d) Information on Organic Agriculture for Producers, Handlers and Processors
- e) Research, Development and Extension

Section 4. The National Technical Committee shall review and recommend for approval by the National Organic Agriculture Board, regulations and guidelines formulated pursuant to the implementation of this Administrative Order.

Section 5. Regulations and Guidelines. A Standards Committee shall be created, composed of representatives from the Bureau of Agriculture and Fisheries Product Standards (BAFPS), Bureau of Animal Industry (BAI), Bureau of Plant Industry (BPI), Fertilizer and Pesticide Authority (FPA), Bureau of Soils and Water Management (BSWM), Philippine Council for Agriculture, Forestry and Natural Resources Research and Development (PCARRD) of the Department of Science and Technology (DOST), Bureau of Food and Drugs (BFAD) of the Department of Health (DOH), academe, certification body, organic practitioners, Non-government Organizations and consumer organizations.

Consistent with its mandate under the AFMA, BAFPS shall chair the Standards Committee of the Philippine National Standards for purposes of elaborating standards on organic agriculture production, processing and retailing from raw, fresh, primary up to tertiary processed commodities.

Section 6. Market Promotion and Networking. The Bureau of Export Trade Promotion (BETP) of the Department of Trade and Industry, and the Agribusiness Marketing Assistance Service (AMAS) of the Department of Agriculture (DA) shall identify marketing and promotional strategies to better access organic agriculture products in the domestic and export markets, as well as establish and sustain linkages between local producers and traders, and domestic and foreign buyers.

Section 7. Information on Organic Agriculture for Producers, Handlers and Processors. The secretariat of the National Technical Committee (NTC) and the National Organic Agriculture Board (NOAB), which is lodged with the BAFPS and in collaboration with 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 Phil-Organic Network.

Section 8. Research, Development and Extension. The Bureau of Agricultural Research (BAR) of the DA and the Philippine Council for Agriculture, Forestry and Natural Resources Research and Development (PCARRD) of the Department of Science and Technology (DOST) shall identify, prioritize and implement through its collaborating agencies research projects and related activities on organic agriculture while the Bureau of Plant Industry, Bureau of Animal Industry, Bureau of Fisheries and Aquatic Resources, Bureau of Post-harvest Research and Extension and such other agencies shall primarily focus its assistance on the development of organic farming systems pursuant to their organizational mandates. The Agricultural Training Institute of the DA shall undertake technology transfer and related extension activities.

Likewise, the Bureau of Soils and Water Management (BSWM) of the DA shall primarily focus on soil and water conservation measures and other strategies to enhance soil productivity and fertility.

RULE IV CREATION OF THE NATIONAL ORGANIC AGRICULTURE BOARD

Section 9. A National Organic Agriculture Board, hereinafter referred to as the NOAB, is hereby created and is to be chaired by the Secretary of the Department of Agriculture. The NOAB hereby created shall be composed of six (6) representatives from the public sector and seven (7) from the private sector. Representatives from the government shall be

composed of the Secretaries of the following departments or their duly authorized representatives, as ex-officio members:

- a) The Secretary of the Department of Agriculture (DA) as Chairperson;
- b) The Secretary of the Department of Trade and Industry (DTI) as Vice-Chair;
- c) The Secretary of the Department of Health (DOH) as Vice-Chair;
- d) The Secretary of the Department of Interior and Local Government (DILG);
- e) The Secretary of the Department of Environment and Natural Resources (DENR);
- f) The Secretary of the Department of Science and Technology (DOST);
- g) Representative, Private Sector operating an Organic Farm;
- h) Representative, Private Sector involved in Organic Handling and Processing;
- i) Representative, Private Sector involved in Trade of Organic Products;
- j) Representative, NGO/PO representing consumer interest;
- k) Representative, NGO/PO representing consumer interest;
- l) Representative, Organic Certifying Body; and
- m) Representative, Academe.

Section 10. The appointment to the NOAB of three (3) representatives coming from the three (3) major islands of the country, representing the private sector presently operating an organic farm, engaged in organic handling and processing, and directly involved in trading organic products with significant volume, shall be done through a broad consultative process among the major players of the organic sector called for by the Secretariat. A list of nominees shall be identified from which the NOAB Secretariat shall recommend the sector representative for appointment by the DA Secretary.

Section 11. The DTI shall require the association or groups to identify one representative from the NGO/PO who nationally represents consumer interests while the DA shall require NGO/POs to identify and recommend persons to represent public interest.

Section 12. The DA through the BAFPS shall recommend a representative to the NOAB from the organic agriculture certifying body after due consultation with the Accreditation Committee.

Section 13. For NOAB members from the academe, DOST in cooperation with the Commission on Higher Education (CHED) shall propose a list of nominees, from which the Board Secretariat shall recommend the sector representative for appointment by the DA Secretary.

Section 14. Non ex-officio members of the NOAB shall be appointed by the Secretary of the DA consistent with the provisions of Section 14, 15, 16 and 17 of this IRR.

Section 15. The NOAB shall hold semi-annual meetings and special meetings when necessary. The presence of at least seven (7) 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.

Section 16. Whenever the exigencies of the service demand, as determined by the Chairperson and the NOAB, for any valid reason, the NOAB cannot be convened to a meeting, the Director of the BAFPS, is hereby authorized to submit any matter for

resolution for the concurrence of a majority of the NOAB members or their duly designated representatives.

Section 17. 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.

Section 18. 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 a regular member of the NOAB.

Section 19. The appointed member of the NOAB shall serve a term of three (3) years. A member cannot serve consecutive terms unless such member served an original term that was less than 3 years.

Section 20. There shall be created a National Technical Committee (NTC) to be chaired by the Director of BAFPS from among the agencies of the DA, DENR, DAR and a representative from the private sector and civil society. The members shall be drawn from:

- a) Bureau of Agriculture and Fisheries Product Standards;
- b) Agricultural Training Institute;
- c) Bureau of Plant Industry;
- d) Bureau of Soils and Water Management;
- e) Bureau of Agricultural Research;
- f) Protected Areas and Wildlife Bureau, DENR;
- g) Agrarian Reform Beneficiaries Development Bureau , DAR;
- h) Philippine Council for Agriculture , Forestry and Natural Resources Research and Development (PCARRD), DOST;
- i) Representative, Private Sector/ Civil Society from Mindanao;
- j) Representative, Private Sector/ Civil Society from Visayas; and
- k) Representative, Private Sector/ Civil Society from Luzon.

Section 21. The appointment to the NTC of three (3) representatives from the private sector and civil society shall be done through a broad consultative process among the major players of the organic sector representing each from Luzon, Visayas and Mindanao. A list of nominees shall be identified from which the NOAB Secretariat shall recommend the sector representative for appointment by the DA Secretary.

Section 22. The NTC shall hold regular quarterly meetings and other special meetings when necessary. The presence of one-half plus one of its members shall constitute a quorum. In all cases the presence of the chairperson of the NTC shall be required.

Section 23. The Chairperson and the members of the NTC shall be entitled to honoraria and other emoluments as may be fixed for every meeting actually attended, subject to existing laws and regulations.

Section 24. The BAFPS of the DA shall serve as the Technical and Administrative Secretariat of the NOAB and the NTC with the member agencies providing additional staff support as the need arises.

Section 25. The NTC shall consult and work with the Office of Policy and Planning of the DA for policy and guideline formulation.

RULE V FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE NOAB AND THE NTC

Section 26. The NOAB is a policy making and oversight body and in the exercise of its functions, duties and responsibilities has the power to delegate the authority to concerned entities as deputized entities to implement the provisions of the Administrative Order.

Section 27. The NOAB shall have the following duties and responsibilities:

- A.** Formulate policies, plans, programs and projects to promote and develop Organic Agriculture;
 - A.1** formulate, issue and implement local rules and regulations and programs following prescribed national standards;
 - A.2** prepare to negotiate equivalency agreements and assure political recognition of standards and certification;
 - A.3** ensure that the PNS shall be regularly monitored and enforced; and
 - A.4** ensure the issuance of certificates, seals, stickers and other means to preserve the integrity of organic agriculture.

- B.** Oversee the successful implementation of the Organic Agriculture programs and projects;
 - B.1** monitor the compliance of the different sectors with respect to standards and certification;
 - B.2** issue policies, procedures, and guidelines for the above monitoring activities based on existing laws, rules and regulations; and
 - B.3** foster effective exchange of information and coordination of programs, projects and activities.

- C.** Call upon any government agency to carry out and implement programs and projects identified by the NOAB;
 - C.1** seek assistance of any department, bureau, office, agency or instrumentality of the government, or other private entities and organizations for cooperation in the performance of its functions.

- D.** Call upon private sectors, peoples' organizations (POs) and non-government organizations (NGOs), and the academe to provide advise on matters pertaining to organic agriculture;

- E.** Identify sources of financing to expand and further promote organic agriculture such as recommending to the President for a reasonable amount of resources for the implementation of the program; and

F. Submit annual and other periodic reports to the Office of the President.

Section 28. The NTC shall have the following duties and responsibilities:

- A. Implement Organic Agriculture programs and projects approved by the NOAB;
 - A.1 provide advisory services to support the adoption of organic agriculture and to help both farmers and organic processors meet the quality requirements of organic products;
 - A.2 encourage, plan, monitor and assess the opportunities to develop organic agriculture production;
 - A.3 develop coordinating and advocacy institutions to advance organic agriculture;
 - A.4 establish regional market facilitators that shall link buyers and sellers within the regions;
 - A.5 comment on standards for the control of production, marketing, storage, transport, labeling, distribution and retailing of organic goods; and
 - A.6 formulate proposals for additional activities concerning organic agriculture.
- B. Update the NOAB on the status of the programs, projects and activities undertaken for the promotion and development of organic agriculture;
- C. Forge effective networking with the various stakeholders involved in organic production;
 - C.1 enlist the positive involvement of conventional farms, extension and research organizations in organic farming development;
 - C.2 explore opportunities to tap local institutions concerned about issues related to organic farming; and
 - C.3 identify key public sector institutional purchasers whose purchasing requirements for organic products can drive market development and public profile to further enhance consumption of organic products.
- D. Perform such other functions, duties and responsibilities as may be necessary to implement this Administrative Order; and
- E. Review and recommend for approval of the NOAB, regulations and guidelines formulated pursuant to the implementation of this Administrative Order.

RULE VI COMPLIANCE REQUIREMENTS FOR ORGANIC STANDARDS

Section 29. The Philippine National Standards for Organic Agriculture (PNS/BAFPS 07:2003 ICS.65.020) listed in ANNEX A is recognized as mandatory throughout the country for the sectors involved in the production and marketing of organic agriculture products. Compliance with PNS shall be established through certification by an accredited local certifier.

Section 30. The NOAB upon recommendation of the BAFPS shall maintain the accuracy of their standards through periodic review and harmonization with international standards.

RULE VIII ORGANIC ACCREDITATION

Section 31. Administrative Order 13 Series of 2003, otherwise known as the “Guidelines in Accreditation of Certifying Bodies for Standards on Organic Agriculture” is hereby strengthened and recognized under this IRR as the National Accreditation Guidelines.

Section 32. The accreditation body, herein called as the National Accreditation Body is shall have members taken from but not limited to the following offices:

Director, Bureau of Agriculture and Fisheries Product Standards
Director, Bureau of Plant Industry
Director, Bureau of Agricultural Research
National Agriculture and Fisheries Council Representative
Representative from Philippine Council for Agriculture, Forestry and Natural Resources Research and Development
Representative from the Department of Interior and Local Government
Representative from the Department of Trade and Industry
Representative from the Department of Education
Representative from the private sector/industry organic producer
Representative from the NGO/PO
Representative from the academe/research institutions
Representative from the civil society

BAFPS shall be designated as chair of the Organic Accreditation Committee and shall approve or deny applications for accreditation as a certifying entity and regulate the same in accordance with the accreditation guidelines hereto attached.

Section 33. The above agencies shall be represented by a duly designated representative, preferably those involved in accreditation or other form of recognition of farming technologies. As necessary, other entities may be identified to become members of the Accreditation Body as a resolution by the NOAB.

Section 34. The structure and operation of the Accreditation Body shall be such as to give confidence to its accreditation, and shall be organized and operated to safeguard the objectivity and impartiality of its activities.

Section 35. International certifiers doing business in the country, whether as sole or in partnership with local certifiers, must first secure clearance from the BAFPS of the DA prior to any business transaction related to organic certification.

Likewise, these certifiers shall submit to the NOAB Secretariat, in addition to the other legal requirements of foreign nationals doing business in the country, their credentials, local business address, names of their agents, local and foreign inspectors.

Section 36. Organic produce to be sold within the country's territory shall be certified only by the duly accredited certifying agencies recognized and accredited by the BAFPS of the DA.

Section 37. Assistance shall be extended to the duly accredited certifier(s) to seek and get international accreditation and recognition to certify exports of organic produce.

RULE VIII LABELING

Section 38. In addition to the requirements for labeling of organic products, commodities, goods and merchandise pursuant to PNS/BAFPS 07:2003 ICS.05.020) listed in ANNEX A. and Republic Act 7349, otherwise known as "The Consumer Act of the Philippines", the products commodities, goods or merchandise shall be labeled pursuant to this Administrative Order.

Section 39. It shall be unlawful for any person, firm or corporation to sell products with claims or labels as organic without the approval of the certification body pursuant to the Philippine National Standards on Organic Agriculture.

Section 40. False or Misleading Marks and Labels. No article shall be sold or offered for sale to any person, firm or corporation, in commerce, under any name or other marking or labeling which is false or misleading.

Section 41. It shall be unlawful for any dealer to import into the Philippines or advertise any product that has applied to it a label that contains any false or misleading representation relating to or that may reasonably be regarded as relating to that product.

Section 42. If the NOAB or any competent authority has reason to believe that any marking or labeling with respect to any article is false or misleading, the product shall be withheld after due process and subject to the provisions of the Consumer Act of the Philippines 1991 unless the marking or labeling is modified in such manner that it will not be false or misleading.

RULE IX RESEARCH, DEVELOPMENT AND EXTENSION

Section 43. This IRR shall cover all existing networks of research and development, and extension centers and institutions that are of public character or are supported by public funds.

Section 44. The DA, DOST, SCUs and other appropriate agencies such as but not limited to scientific/professional organizations and research institutions shall develop, enhance, support and consolidate activities and related technologies.

Section 45. Appropriate technologies shall be used to protect the environment, reduce cost of production, improve product quality and increase value added for global competitiveness.

Section 46. Research, development and extension activities consistent with the National Organic Agriculture Program shall be multi-disciplinary and shall involve farmers, fisherfolk and their organizations, and those engaged in food and non-food production and processing, including the private and public sectors.

Section 47. The DA and other research agencies are encouraged to go into co-financing agreements with the private sector in the conduct of research, development and extension activities provided that the terms and conditions of the agreement are beneficial to the country.

RULE X APPROPRIATION

Section 48. The Department of Agriculture shall allocate from the budget such amount not less than Five Million Pesos (PhP 5,000,000.00) for the initial operation of the NOAB and its Secretariat. A portion of the amount thereof may be taken from the Presidential Social Fund for the initial year of implementation of the program.

Section 49. The DA shall include an appropriate amount in the General Appropriations Act, for the year following the effectivity of the IRR and every year thereafter.

Section 50. The DA shall include the Board's financial requirements in its submission of the Department's proposed budget to the Department of Budget and Management for the year following the IRR, and every year thereafter. The amount shall be determined based on the Work Program approved by the NOAB consistent with the National Organic Agriculture Program.

PART III EFFECTIVITY

RULE XI SEPARABILITY CLAUSE

Section 51. The provisions of this IRR are declared severable. If for any reason, a particular provision is declared unconstitutional, the other provisions of the IRR that are not affected thereby shall continue to be in full force and effect.

RULE XII EFFECTIVITY

Section 52. This IRR shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation. The UP Law Center's Office of National Administrative Register shall be provided copy of this IRR.

Issued this _____ day of _____ 2006 in Quezon City, Philippines.

APPROVED:

DOMINGO F. PANGANIBAN
Secretary