

**National Organic Agriculture Board Resolution No. 003  
Series of 2012**

**REQUEST FOR DOJ OPINION ON THE MATTER OF THE PROPER  
INTERPRETATION OF THE ORGANIC AGRICULTURE ACT OF 2010  
(RA 10068) AND PRESIDENTIAL DECREE CREATING THE FERTILIZER AND  
PESTICIDE AUTHORITY AND ABOLISHING THE FERTILIZER INDUSTRY  
AUTHORITY (PD 11440)**

**WHEREAS**, Section 16 of the Organic Agriculture Act of 2010 (RA 10068) and Rule 16.3 of the Implementing Rules and Regulations (IRR), mandates the Bureau of Agriculture and Fisheries Product Standards (BAFPS) with the registration of organic food and organic input producers;

**WHEREAS**, under Presidential Decree 1144, *Presidential Decree Creating the Fertilizer and Pesticide Authority and Abolishing the Fertilizer Industry Authority*, the said function was previously vested on the Fertilizer and Pesticide Authority (FPA);

**WHEREAS**, pursuant to RA 10068, Administrative Order No.14 (AO 14) was issued by the Secretary of Agriculture, containing the guidelines on the registration of organic food and organic input producers;

**WHEREAS**, Section 6 of RA 10068 states that the National Organic Agriculture Board (NOAB) is the policy-making body of the National Organic Agriculture Program;

**WHEREAS**, it has come to the attention of NOAB that a number of organic fertilizer producers are concerned whether their registration with BAFPS under AO 14 is sufficient under the law because both FPA and BAFPS are both accepting applications for registration;

**NOW, THEREFORE**, the Board hereby **RESOLVES** to seek legal opinion from the Department of Justice to shed light on the proper interpretation of RA 10068 in light of PD 1144 to avoid future conflicts and or litigation;

**BE IT RESOLVED FURTHER**, to request Secretary Proceso J. Alcala to endorse said request for legal opinion to the Department of Justice.

**APPROVED** and **SIGNED** by the following members of the Board on the following dates by referendum.

*Buyat*

Usec. Bernadette Romulo-Puyat  
Chairman

Sec. Jesse Robredo  
Vice-Chairman  
Members:

Dir. Nestor Arcansalin  
DTI

Sec. Enrique Ona  
DOH

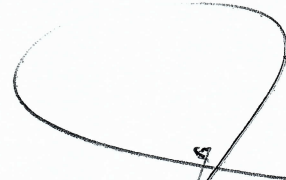
  
Dr. Patricio Faylon 1/18/2012  
DOST


Sec. Ramon Paje  
DENR


Sec. Armin Luistro  
DepEd

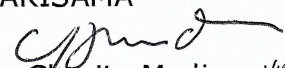
  
Usec. Jerry Pacturan 1/19/2012  
DAR

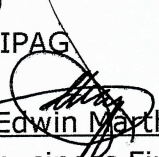
Dr. Rogelio Colting  
Benguet State University

  
Mr. Miller Bicaldo 1/12/2012  
Luzon Small Farmer Representative  
PDCI

  
Mr. Rey Pedrosa 1/12/2012  
Visayas Small Farmer Representative  
BOFA

  
Ms. Emalyn Legal 1/12/12  
Mindanao Small Farmer Representative  
PAKISAMA

  
Dr. Charito Medina 1/16/12  
NGO  
MASIPAG

  
Mr. Edwin Marthine Lopez 1/12/12  
Agribusiness Firm/Private Sector  
Alter Trade Foundation Inc.