

Republic of the Philippines
[NAME OF LGU]

SANGGUNIANG [PANLALAWIGAN/PANLUNGSOD/BAYAN]

ORDINANCE NO. _____

AN ORDINANCE CREATING THE CITY/MUNICIPAL SUSTAINABLE AND ECOLOGICAL ORGANIC FOOD SYSTEM COUNCIL AND APPROPRIATING FUNDS THEREFORE

WHEREAS, the Philippines adheres to the Sustainable Development Goals and commits to end hunger, achieve food security and improve nutrition and promote sustainable agriculture; ensure healthy lives and promote well-being of all ages; ensure sustainable consumption and production patterns; take urgent actions to combat climate change and its impacts by regulating emissions; conserve and sustainably use the oceans, seas and marine resources for sustainable development; protect, restore and promote sustainable use of terrestrial ecosystems, halt and reverse land degradation and halt biodiversity loss;

WHEREAS, the Philippines is party to the International Covenant on Economic, Social and Cultural Rights which obligates parties to recognize the fundamental right of every Filipino to be free from hunger and have adequate standard of living, including that of food;

WHEREAS, Section 15 of the Philippine Constitution ensures that the State shall protect and promote the right to health of the people and instil health consciousness among them. Further Section 16 explicitly articulates that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Section 2 of Republic Act No. 8435, otherwise known as the Agriculture and Fisheries Modernization Act of 1997, declares that the State shall enable those who belong to the agriculture and fisheries sectors to participate and share in the fruits of development and growth and that the State shall assure the availability, adequacy, accessibility of food supplies to all at all times;

WHEREAS, Section 2 of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998 recognizes food security as the overriding consideration in the utilization, management, development, conservation and protection of fishery resources in order to provide the food needs of the population;

WHEREAS, Republic Act 10068, otherwise known as the Organic Agriculture Act of 2010, mandates 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 support the promotion of community-based organic agriculture systems which include, among others, the adoption of organic agricultural system as a viable alternative;

WHEREAS, by virtue of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, the State recognizes the Local Government Units (LGUs) as effective partners of the National Government in achieving long term goals and national targets necessary to attain food security for the country, especially for the poor. LGUs have a great responsibility being the first responders to disasters and implementers of community preparedness and climate change adaptation strategies as mandated by R.A. 10121, otherwise known as the “The Philippine Disaster Risk Reduction and Management Act” and the RA 9729, otherwise known as the “Climate Change Act of 2009.” The LGUs with its constituents including farmers, fishers, women, and children will have a better chance to defend their rights and access to sustainable livelihoods, and safe and sound environment, when working together;

WHEREAS, there is an urgent need for greater coherence, convergence and synergy on the various programs of government on food which are presently governed under different departments and agencies;

WHEREAS, Section 16, Article X of the 1987 Philippine Constitution promotes the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making;

(NOTE: A whereas clause may be added here with respect to the specific conditions of the LGU in relation to food, hunger, malnutrition, poverty, climate change and so forth)

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG PANLALAWIGAN OF [NAME OF LGU], IN SESSION ASSEMBLED, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, THAT:

SECTION 1. Title. — “This Ordinance shall be known as the “***Sustainable and Ecological Food System Ordinance.***”

SEC. 2. Creation of the (name of province) Food Council - The Food Council, herein referred to as the FC, is hereby constituted as the overall coordinating body in the formulation of policy guidelines, master plans and programs, as

well as in the implementation of projects that ensure the attainment of the vision, mission, goals, objectives and targets of a sustainable food system in the (name of Province).

The FC shall be guided by the following principles and goals:

- a) Every human being has a fundamental, inalienable right to clean, safe, nutritious/healthy/diverse, and culturally-appropriate food. As food is most essential to life, the right to food is an extension of the basic human right to life;
- b) A just food system controlled by small holder producers and consumers not by big food and agriculture corporations, recognizing that systems of food production, distribution and exchange are a preeminent responsibility of the community and society. Assuring healthy, nutritious and diverse food stock even in times of crises, securing resources for ecological food production, equitable distribution of food and management must be ensured and controlled by the local community, giving first priority to the majority small food producers and preventing control and monopoly over resources and production;
- c) Food policy, plans and programs that contribute to rural development, plans and programs that contribute to rural development, fight poverty and hunger, premised on achieving food and nutrition security, climate resilience while protecting our health and environment through our local food producers, particularly farmers, fishers and indigenous communities; such policies, plans and programs prioritizes domestic ecological food production, which enables livelihoods in rural and urban poor communities that are safe, healthy and economically viable, over export-oriented industrial agriculture and fisheries that almost always indicates loss of livelihood and consequently compels people to be exploited;
- d) Smarter food policies, plans and programs that increases food availability, improve livelihoods in poor regions of the country by reducing the unsustainable use of what we grow, reducing food waste, decreasing meat consumption and minimizing use of land for bioenergy, premised on mobilizing consumers and the majority small food producers; providing small producers, especially the marginalized sectors, access to resources such as land, water, diverse and local seeds and livestock with aim of conserving and protecting our soil, air, water, seeds and breeds for a resilient food system;
- e) Food policies, plans and programs must ensure access to food not only through sufficient income for everyone, but also by providing mechanisms for free or subsidized distribution of

nutritious/healthy/diverse and culturally-appropriate food to those who have insufficient income, as well as to those who suffer from natural and man-made calamities; including mechanisms to advance community to community farmer to farmer, fisher to fisher, LGU to LGU ecological food and agriculture response in times of crises;

- f) Food policies, plans and programs must be formulated and created with the full participation of the people, especially ensuring the participation of marginalized sectors of producers and consumers. Such policies, plans and programs must recognize and promote the initiative of the people to assert their rights to food;
- g) Food is inextricably linked to nature and the environment. Conservation and sustainable use of our diverse genetic resources, our soil, water and environment, promoting the consumption of local and indigenous food and cuisines should be integral components of a sustainable food system;
- h) Ecological agriculture that works with nature and not against it provides the framework for technology development and assessment of food production and consumption, it runs counter to poisoning our health, soil, air, water and environment and the monopoly/control over Philippine resources via patents on life and genetic modification of crops and livestock;
- i) Food as fundamental human activities embody key elements of culture of a community and society, and such role must be recognized, conserved and promoted;
- j) Clean, safe and nutritious/healthy/diverse food must be ensured through effective mechanisms and regulations, the formulation and implementation of which promote and safeguard the interests of small producers and consumers in processes that involve the full participation of the people; these include participation in the assessment and approval of new food and agriculture technologies;
- k) As food sustains life and society, food must remain an element of peace and cooperation among communities and among nations and societies. Turning it into instruments of whatever form of domination and even war by one community or society over another runs counter to norms of humankind in relation to food;

SEC.3. Composition of the (name of Province) Food Council – The FC shall be composed of the following:

PROPOSED TEMPLATE OF SUSTAINABLE AND ECOLOGICAL FOOD ORDINANCE FOR PROVINCES

Governor	Chairperson
Provincial Agriculture Officer	Vice Chairperson
Provincial Planning and Development Officer	Vice-Chairperson
Provincial Cooperatives Officer	Member
Provincial Environment and Natural Resources Officer	Member
Provincial Health Officer	Member
Provincial Budget Officer	Member
President of the League of Cities /City Mayors	Member
President of the League of Municipalities	Member
President of the League of Barangays	Member
Chairperson of the Sanggunian Committee on Agriculture	Member
Regional Director of DILG	Member
Regional Director of DA	Member
Regional Director of DAR	Member
Regional Director of DTI	Member
Regional Director of DENR	Member
Regional Director of DOH	Member
Regional Director of DSWD	Member
Regional Director of NEDA	Member
Two (2) Representatives of Small Farmers' Sector	Member
Two (2) Representatives of Municipal Fisheries' Sector	Member
Two (2) Representatives of Labor Sector	Member
Two (2) Representatives of Business Sector	Member
Two (2) representatives of Women Sector	Member

Two (2) Representatives of Indigenous Peoples Sector	Member
Two (2) Representatives of Urban Poor Sector	Member
Two (2) Representatives of Persons with Disabilities Sectors	Member
Two (2) Representatives of Senior Citizens Sector	Member
Two (2) Representatives of Youth Sector	Member
Two (2) Representatives of Consumers Sector	Member
Representatives of Agriculture/Fisheries/Forestry State Universities/Colleges	Member
Two (2) Representatives of Non-Governmental Organizations (NGOs) Providing Support and Services to Basic Sectors	Member
Two (2) Representatives of Social Movements Working on Food	Member
Chairperson of the Provincial Civil Society Organizations (CSO) Network on Food	Member

The Sectoral Representatives and representatives of NGOs and social movements shall be appointed by the Governor not later than ninety (90) days from the effectivity of this Ordinance based on a shortlist of recommendees endorsed by a Screening Committee composed of the Provincial Agricultural Officer, the Provincial Planning and Development Officer and two (2) representatives from civil society organizations (CSOs) duly recommended by them upon wide publication or announcement in the entire province or in an assembly called for the purpose.

The Governor shall immediately appoint the CSO representatives and convene the Screening Committee which in turn shall submit its recommendees not later than (60) days from the effectivity of this Order. Provided, that, Sectoral Representatives shall be chosen from peoples organizations (POs) which are community-based, mass membership organizations. Provided further, that, such POs, NGOs and social movements are either registered with the Securities and Exchange Commission (SEC), or any Government Agency empowered by law or policy to register and/or accredit POs and other similar aggrupation, or existing but not registered, with a set of by-laws adopted through a membership assembly and duly elected officials, pursuing a common goal and established to secure

benefits for their membership and articulate aims and objectives in the general development discourse.

Within ninety (90) days from the effectivity of this Ordinance, CSOs with programs and projects on food, shall convene a province-wide assembly and establish a CSO Food Network (CFN) with the facilitation and support of the Provincial FC following the principle of subsidiarity. The CFN and the Provincial FC 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.

The Chairperson of the CFN or its duly designated Representative shall sit as Member of the Provincial FC.

Members of the House of Representatives may be included as ex-officio members of the provincial FCs as well as other Regional and Provincial Directors of national government agencies with provincial and regional offices/organizational structures.

SEC. 4. *Executive Committee* - There shall be an Executive Committee composed of the following: the Governor, as Chairperson; the Provincial Agriculture Officer, Provincial Planning and Development Officer and Health Officer; one representative each from the small farmers, fisherfolk and indigenous peoples sectors; and, the Chairperson of the CNF, as members. The Governor may designate the Provincial Agriculture Officer or the Provincial Planning and Development Officer as head of the Secretariat and appoint such other local government employees as staff thereof.

The Executive Committee shall meet at least every quarter or as may be necessary to ensure the proper implementation of the FC's programs and activities.

SEC. 5. *Duties and Functions of the FC.* -The FC shall perform the following functions:

- a. Oversee the successful implementation of the Provincial Food Action Plans and Programs, in close coordination with concerned NGAs or their respective field offices, component cities and municipalities, NGOs/POs and private and business sector within their jurisdiction;
- b. Review, formulate and recommend nationally significant and locally relevant food policies to concerned government agencies;
- c. Assist the Local Price Coordinating Council in the monitoring of prices and quality regulation of major food commodities and in finding ways for

- regulating the prices of prime commodities in the locality within its jurisdiction;
- d. Facilitate access to sustainable and resilient production and marketing resources and opportunities for small and medium scale food social enterprises through the initiation of agreements with government and private financing institutions;
 - e. Ensure the availability and access to ecologically sound production inputs, post-harvest facilities, markets for local and ecological produce appropriate technology, and technical assistance to farmers and fisherfolks;
 - f. Ensure the availability of adequate and affordable food supply in the market by promoting inter-LGU coordination market linkages and trading of basic commodities;
 - g. Monitor and act on environmental impacts to ensure health and safety from food production to consumption;
 - h. Monitor and ensure safeguards on the production and importation of genetically modified organisms/genetically engineered foods and products for public health and safety;
 - i. Monitor and act on food loss and food waste;
 - j. Promote eco-agriculture products and indigenous Philippine plants, breeds, food and heritage cuisines in public agencies;
 - k. Promote best working practices, cooperation, knowledge and skills exchange among different LGUs, communities and civil society groups;
 - l. Promote education, research, and extension on ecological-food production and consumption;
 - m. Monitor and evaluate the implementation of the Provincial Food Plans and Programs;
 - n. Prepare and submit semi-annual reports of program implementation to the Office of the Governor;
 - o. Perform other functions deemed necessary for the successful implementation of the Food Plans and Programs at the local level.

SEC. 6. Food Action Plan – The FC shall develop and implement a Food Plans and Programs that advances food sovereignty base on the principles and goals

stated in Section 1 hereof and taking into account the actual needs and available resources of the local government unit in relation to food and related programs and projects of national government agencies concerned in their respective areas.

SEC. 7. *Funding.* — An initial funding to defray the expenses necessary for or incidental to the implementation of this Ordinance in the amount of [insert amount here] shall be sourced from the [LGU] fund and is hereby allocated. Every year thereafter, at least [insert amount here] shall automatically be included in the Annual Budget of the [LGU] for the implementation and enforcement of this Ordinance, based on [LGU] plans and programs.

SEC. 8. *Repealing Clause.* — All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

SEC. 9. *Separability Clause.* — If any part or provision of this Ordinance is declared unconstitutional or invalid, the same shall not affect the validity and effectivity of the other parts or provisions hereof.

SEC. 10. *Effectivity Clause.* — This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local or general circulation or posting in at least two (2) conspicuous places in the [province/city/municipality].

ENACTED BY THE SANGGUNIANG [PANLALAWIGAN/ PANLUNGSOD/ BAYAN] OF [NAME OF LGU], IN ITS SESSION ON [DATE OF SESSION]

NOTE:

This Provincial City Food Ordinance is a draft template for the creation of a Sustainable and Ecological Food Ordinance at the Provincial level. Everybody is encouraged to send comments, additions and deletions to improve this document. Likewise, LGUs may use this template for adoption and implementation in their respective LGU.

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