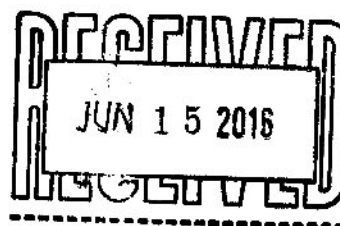




Republic of the Philippines
Department of Agriculture
OFFICE OF THE SECRETARY
Elliptical Road, Diliman
Quezon City 1100, Philippines



02 June 2016

ADMINISTRATIVE ORDER

No. 07

Series of 2016

SUBJECT : AMENDMENTS TO DEPARTMENT OF AGRICULTURE (DA) ADMINISTRATIVE ORDER (AO) NO. 07, SERIES OF 2015, OTHERWISE KNOWN AS "RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT (RA) NO. 7581 IN RELATION TO AGRICULTURAL COMMODITIES"

WHEREAS, pursuant to Republic Act No. 7581, as amended by Republic Act No. 10623 and their respective Implementing Rules and Regulations, the Department of Agriculture (DA) issued Administrative Order (AO) No. 07, Series of 2015 on 12 May 2015;

WHEREAS, DA AO No. 07, Series of 2015 was published on 02 September 2015, to be effective fifteen (15) days thereafter;

WHEREAS, DA Memorandum Circular No. 06, Series of 2015 was issued on 07 September 2015 deferring/suspending the effectivity of DA AO No. 07, Series of 2015 to afford all stakeholders and interested sectors additional opportunity to raise their concerns on the AO;

WHEREAS, a series of nationwide consultations attended by public and private sectors were conducted by DA for said purpose;

WHEREAS, there is a need to finetune DA AO No. 07, Series of 2015 to ensure that its provisions are in accordance with law;

NOW, THEREFORE, considering the foregoing premises, the following amendments to DA AO No. 07 Series of 2015 are hereby issued:

Section 1. Section 1, Rule II (Bantay Presyo Technical Committee) is hereby amended to read as follows:

"Section 1. Bantay Presyo Technical Committee (BPTC) – A Bantay Presyo Technical Committee is hereby created to be headed by an official with the rank of Assistant Secretary to be appointed by the Secretary of DA, and which shall have a membership composed of the Director of Agribusiness and Marketing Assistance Service (AMAS); Assistant Directors of



the Bureau of Plant and Industry (BPI), the Bureau of Animal Industry (BAI), the Bureau of Fisheries and Aquatic Resources (BFAR); the Deputy or Assistant Administrators of the National Dairy Authority (NDA), the Sugar Regulatory Administration (SRA) and the National Food Authority (NFA); Division Chief of the Fertilizer and Pesticide Authority (FPA); and the National Coordinators of the Rice Program and the Corn Program. It shall meet at least once a month, or as often as may be necessary."

Section 2. Section 1, Rule III (Monitoring) is hereby amended to read as follows:

"Section 1. Monitoring Team - Monitoring Teams, to be known as the "Bantay Presyo Monitoring Teams" shall be organized in the Office of the Secretary ("Central Bantay Presyo Monitoring Team or CBPMT") and in each Region ("Regional Bantay Presyo Monitoring Team or RBPMT") within thirty (30) days from the effectivity of this Order.

The CBPMT shall be composed of representatives from AMAS, BPI, BAI, BFAR, NDA, SRA, NFA, FPA and the National Rice Program and the National Corn Program staff. It shall be headed by the Assistant Secretary for Agribusiness who is hereby authorized to form other and such number of monitoring teams at the DA Central Office as may be necessary to effectively carry out the objectives of this Order.

The composition and number of monitoring teams per region shall be determined by the Regional Executive Director concerned; Provided that each RBPMT shall include as member, a representative from the Regional Agriculture and Fisheries Council (RAFC).

Section 3. Section 2, Rule III (Monitoring) is hereby amended to read as follows:

"Section 2. Duties and Responsibilities - Each Monitoring Team shall have the following duties and responsibilities:

X X X

c. Prepare Reports on monitoring activities conducted and submit the same to the Assistant Secretary for Agribusiness (for reports prepared by the CBPMT) or the Regional Executive Director concerned (with respect to reports prepared by the RBPMT, within forty-eight (48) hours after the conduct of each monitoring activity.

X X X."

Section 4. Section 4, Rule III (Monitoring) is hereby amended to read as follows:

"Section 4. Evaluation of the Report - The Reports submitted by the Monitoring Teams shall be evaluated by the Assistant Secretary for Agribusiness or the Regional Executive Director concerned who shall submit a monthly Evaluation Report to the Bantay Presyo Technical Committee, together with appropriate recommendations, such as, but not limited to:

x x x."

Section 5. Section 1, Rule IV (Suggested Retail Price) is hereby amended to read as follows:

"Section 1. Issuance of the Suggested Retail Price - Without prejudice to the provisions of Sections 6 and 7 of RA No. 7581, the President may, upon the recommendation of the Secretary of the Department of Agriculture, on the basis of a report from the Bantay Presyo Technical Committee or the Regional Executive Directors, issue a "Suggested Retail Price" (SRP) for particular agricultural commodities on a national or per region or per province basis.

The SRP shall be in effect for a period of no longer than sixty (60) days unless earlier lifted or revoked; provided that an SRP may be extended for a period of fifteen (15) days."

Section 6. Section 2, Rule IV shall be amended to read as follows:

"Section 2. Procedure After the Issuance of the Suggested Retail Price - The Secretary shall favorably recommend to the President thru the National Price Coordinating Council (NPCC) the imposition of an SRP.

x x x."

Section 7. Section 3 (Violation of the Suggested Retail Price) under Rule IV is hereby deleted.

Section 8. Section 2, Rule V (Administrative Procedure for Administrative Actions for Violations of R.A. 7581) is hereby amended to read as follows:

"Section 2. Coverage - x x x

(d) Profiteering, which is the sale or offering for sale of any basic necessity or prime commodity at a price grossly in excess of its true worth. There shall be prima facie evidence of profiteering whenever a basic necessity or prime commodity

being sold: (a) has no price tag; (b) is misrepresented as to its weight or measurement; (c) ~~is~~ adulterated or diluted; or (d) whenever a person raises the price of any basic necessity or prime commodity he sells or offers for sale to the general public by more than ten percent (10%) of its price in the immediately preceding month: ~~Provided~~. That, in case of agricultural crops, fresh fish, fresh marine products, and other seasonal products covered by RA 7581 and as determined by the implementing agency, the prima facie provision shall not apply.

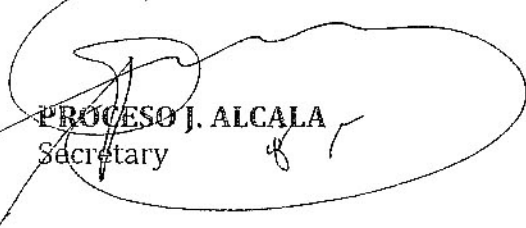
X X X."

Section 9. Section 3, Rule V (Administrative Procedure for Administrative Actions for Violations of R.A. 7581) is hereby amended to read as follows:

"Section 3. Designation of Adjudication Officers – For purposes of the implementation of pertinent provisions of this Rule, the Secretary shall designate Adjudication Officers upon the recommendation of the Assistant Secretary for Agribusiness or the Regional Executive Director, as the case may be."

All other issuances or parts thereof which are inconsistent with this Order are hereby repealed or amended accordingly.

This Order shall take effect immediately.



PROCESO J. ALCALA
Secretary

DEPARTMENT OF AGRICULTURE
In replying pls cite this code :
For Signature: S-06-16-0070
Received : 06/06/2016 02:49 PM