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AMENDMENT TO THE FPA PESTICIDES REGULATORY POLICIES AND IMPLEMENTING GUIDELINES

FPA BOARD RESOLUTION NO. 01, S. 2009, November 18, 2009

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WHEREAS, the Fertilizer and Pesticide Authority was created by virtue of P.D. 1144 to assure the people of adequate supply of quality fertilizer and pesticide (F/P) at reasonable prices, rationalize their production and marketing, and educate the public on the safe and judicious use of these inputs to the agricultural sector in line with the national objective of increasing food production;

WHEREAS, policy issues are vested with the FPA Board of Directors chaired by the Secretary of Agriculture;

WHEREAS, Chapter 6.6 of the FPA Pesticide Regulatory Policies and Implementing Guidelines prohibits the importation of locally produced technical grade materials and its corresponding finished products used in the manufacture and formulation of pesticides which reads:

> "No importation of locally produced technical grade materials and its corresponding finished products is allowed by the FPA. However, the manufacturer is required to submit proof that the price of the technical materials locally produced is competitive with the world market price."

WHEREAS, the said provision now contradicts existing government economic policies such as that on free enterprise and violates the mandate of the FPA to provide adequate assistance to the agricultural sector in line with the national objective of increasing food production;

WHEREAS, the said provision in the FPA Greenbook has been overtaken by developments in World Trade as provided in Article XI of the General Agreements on Tariffs and Trades of 1997;

WHEREAS, a portion of 6.6 of the FPA Pesticide Regulatory Policies and Implementing Guidelines should be deleted/repealed prohibiting the importation of locally produced technical materials and its corresponding finished products which will result in lowering down the prices of pesticides and will bring about increase agricultural production in keeping with the vision and program of the national government;

WHEREAS, such deletion of a portion of Chapter 6.6 of the FPA Pesticide Regulatory Policies and Implementing Guidelines was considered after due consultations on the technical, scientific, toxicological and environmental concerns by the FPA accredited team of experts in various disciplines;

WHEREAS, such importation shall ensure the proactive mitigation measures and adopt the "polluters pay principles" to protect the people and the environment;

WHEREAS, such importation shall ensure that the items to be imported shall be subject to the flag law, i.e. the importation is allowed if the price of local products is more than 15% of that which is being imported;

NOW, THEREFORE, the Board hereby RESOLVES to amend the "FPA PESTICIDES REGULATORY POLICIES AND IMPLEMENTING GUIDELINES" governing the importation of pesticides by lifting the prohibition on the importation of locally produced technical grade materials and its corresponding finished

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products contained in Chapter 6, Item 6.6. of the said rules.

APPROVED BY:

(SGD.) ATTY. ARTHUR C. YAP
Secretary of Agriculture and Chairman, FPA Board

MARGARITO B. TEVES
Secretary of Finance

(SGD.) JESLI A. LAPUS
Secretary of Trade and Industry

(SGD.) AMANDO M. TETANGCO, JR.
Governor, Bangko Sentral ng Pilipinas

(SGD.) OMAR BYRON T. MIER
President, Philippine National Bank

(SGD.) ATTY. JUAN MIGUEL T. CUNA
OIC – Director
Environmental Management Bureau

(SGD.) JOEL S. RUDINAS
Director, Bureau of Plant Industry

(SGD.) NAZARITA T. TACANDONG
Director, Food and Drug Administration

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