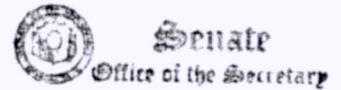


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



'18 AUG -1 P 6:16

SENATE  
P.S. Res. No. 818

RECEIVED BY \_\_\_\_\_

---

**INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO**

---

**RESOLUTION**

**DIRECTING THE COMMITTEE ON AGRICULTURE AND FOOD TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF REPUBLIC ACT NO. 10845 OTHERWISE KNOWN AS THE ANTI-AGRICULTURAL SMUGGLING ACT OF 2016, WITH THE END IN VIEW OF ENSURING STRICT AND PROPER ENFORCEMENT OF THE LAW**

**WHEREAS**, the Philippines is a predominantly agricultural country, with vast resources for rice cultivation - the people's staple food. During the past years however, the country has experienced alarming agricultural shortages, particularly rice shortage, which made the country dependent to importing rice from other countries;

**WHEREAS**, aside from its role in development and food security, the agriculture sector plays a very critical role in the country, as it is one of the primary source of livelihood and employment making up 25 percent of the total employed in 2017;

**WHEREAS**, the illegal presence of smuggled agricultural products, especially if done in immense volumes, may saturate the market, thereby manipulating and distorting market prices. Particularly, lowering the market price is disadvantageous to our local farmers who cannot compete with the prevailing market price;

**WHEREAS**, on May 23, 2016, Republic Act (RA) No. 10845 otherwise known as the Anti-Agricultural Smuggling Act was passed into law;

**WHEREAS**, Section 3 of RA 10845 classifies the crime of large-scale agricultural smuggling as economic sabotage if it involves sugar, corn, pork, poultry, garlic, onion, carrots, fish, and cruciferous vegetables, in its raw

state, or which have undergone the simple processes of preparation or preservation for the market, with a minimum amount of one million pesos (P1,000,000.00), or rice, with a minimum amount of ten million pesos (P10,000,000.00), as valued by the Bureau of Customs (BOC);

**WHEREAS**, Section 4 of RA 10845 imposes a penalty of life imprisonment and other fines to any person who commits any of the acts considered as large-scale agricultural smuggling;

**WHEREAS**, during the Committee on Agriculture and Food hearing on February 27, 2018, it was revealed that the use of fake import permits is still prevalent, and that the BOC was then only able to file 3 cases in the Department of Justice;

**WHEREAS**, a more recent case was on July 2018 when the BOC has discovered the unauthorized release of over a hundred containers from the Mindanao International Container Terminal in Misamis Oriental that may contain agricultural products;

**WHEREAS**, two years since the passage of the Anti-Agricultural Smuggling law, it has been reported that there is still no cases filed before the courts in violation of the law. Allegedly, the cases are still pending before the DOJ;

**WHEREAS**, the government is gearing towards the direction of rice tariffication in light of the expiration of the "Special Treatment for Rice" given to the Philippines by the World Trade Organization. It is therefore expected that there will be an influx of imported rice in the country;

**WHEREAS**, if the government finally decides to shift to rice tariffication and lift the quantitative restrictions on rice, government agencies, especially the Bureau of Customs who is at the forefront of enforcing anti-smuggling laws, need to step up their efforts and be more relentless in the implementation of the law;

**WHEREAS**, no less than President Rodrigo Duterte in his State of the Nation Address warned rice hoarders, cartels and their protectors to "stop messing with the people" and "mend ways now or the full force of the State" shall be brought to bear upon them;

**WHEREAS**, it is the duty of Congress to ensure proper implementation of the law, and to review its enforcement for the protection of the agricultural sector in the county;

**NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, to direct the Committee on Agriculture and Food to conduct an inquiry, in aid of legislation, on the status of the implementation of Republic Act No. 10845 otherwise known as the Anti-Agricultural Smuggling Act of 2016, with the end in view of ensuring strict and proper enforcement of the law.

*Adopted,*



**SENATOR JOSEPH VICTOR G. EJERCITO**