

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 FEB 16 P1:30

SENATE

S. No. 1891

RECEIVED BY: 

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 10845,
OTHERWISE KNOWN AS THE ANTI-AGRICULTURAL SMUGGLING ACT OF
2016, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

As reported by the Bureau of Customs early this year, about P1.9 billion of smuggled agricultural goods were seized in 2022. This is despite the existence of Republic Act No. 10845, or the "Anti-Agricultural Smuggling Act of 2016", that aims to curb the persisting crime of agricultural smuggling in the country.

While the intent of the law is very clear, it fails to address the unabated smuggling of agricultural products in the country as no person, either natural or juridical, has been prosecuted yet. Hence, there is a need to strengthen the current law to give it more teeth to finally pin down those who found ways to circumvent the law.

The bill widens the scope of economic sabotage by including hoarding, profiteering, cartel, and other acts of market abuses as illegal acts. This proposed law also proposes the creation of an inter-agency council on economic intelligence which will be mandated to enforce measures that will combat the said crimes.

In view of the foregoing, the immediate passage of this measure is earnestly sought.


RAMON BONG REVILLA, JR. 

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 FEB 16 P1:30

SENATE

S. No. 1891

RECEIVED BY:

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 10845,
OTHERWISE KNOWN AS THE ANTI-AGRICULTURAL SMUGGLING ACT OF
2016, AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

1 Section 1. The title of Republic Act No. 10845 is hereby amended to read as
2 follows:

3 "AN ACT DECLARING LARGE-SCALE AGRICULTURAL
4 SMUGGLING, **HOARDING, PROFITEERING, CARTEL,**
5 **AND OTHER ACTS OF MARKET ABUSES** AS ECONOMIC
6 SABOTAGE, PRESCRIBING PENALTIES THEREFORE AND
7 FOR OTHER PURPOSES"

8 Sec. 2. Section 1 of Republic Act No. 10845 is hereby amended to read as
9 follows:

10 "SECTION 1. **SHORT TITLE.** – This Act shall be known as
11 the "Anti-Agricultural [Smuggling] **ECONOMIC**
12 **SABOTAGE Act of 2023**"."

13 Sec. 3. Section 2 of Republic Act No. 10845 is hereby amended to read as
14 follows:

1 "Sec. 2. Declaration of Policy. – It is the policy of the State
2 to promote that productivity of the agriculture sector and
3 to protect farmers from unscrupulous traders and
4 importers, who by their illegal importation of agricultural
5 products, especially rice, significantly affects the
6 production, availability of supply and stability of process
7 and food security of the State.

8 **FURTHERMORE, IT IS ALSO THE POLICY OF THE**
9 **STATE TO PROMOTE THE AFFORDABILITY OF FOOD**
10 **AND OTHER AGRICULTURAL COMMODITIES FOR**
11 **FILIPINO CONSUMERS BY PREVENTING LARGE-**
12 **SCALE ABUSE OF MARKET POWER, HOARDING AND**
13 **OTHER PRACTICES TO MANIPULATE PRICES AND**
14 **UNDULY RESTRAIN SUPPLY.**

15 The State shall impose higher sanctions for large-scale
16 smuggling of agricultural products **AND OTHER ABUSES**
17 **OF MARKET POWER** as self-preservation measure to
18 shield itself from the manipulative scheme of economic
19 saboteurs, and to protect the livelihood of our farmers and
20 to ensure their economic well-being **AND THAT OF**
21 **CONSUMERS."**

22 Sec. 4. A new Section 3-A shall be inserted after Section 3 of Republic Act No.
23 10845 to read as:

24 **"SEC. 3-A. LARGE-SCALE AGRICULTURAL**
25 **HOARDING, PROFITEERING, AND CARTEL AS**
26 **ECONOMIC SABOTAGE. – HOARDING,**
27 **PROFITEERING, OR CARTEL, AS DEFINED IN**
28 **SECTION 5 OF REPUBLIC ACT NO. 7518, INSOFAR**
29 **AS THEY INVOLVE SUGAR, CORN, PORK, POULTRY,**
30 **GARLIC, ONION, CARROTS, FISH AND**

1 CRUCIFEROUS VEGETABLES, IN ITS RAW STATE,
2 OR WHICH HAVE UNDERGONE THE SIMPLE
3 PROCESSES OF PREPARATION OF PRESERVATION
4 FOR THE MARKET, WITH A MINIMUM AMOUNT OF
5 ONE MILLION PESOS (P1,000,000.00), OR RICE,
6 WITH A MINIMUM AMOUNT OF TEN MILLION
7 (P10,000,000.00), AS VALUED BY THE
8 DEPARTMENT OF AGRICULTURE FOR
9 DOMESTICALLY PRODUCED COMMODITIES, SHALL
10 CONSTITUTE ECONOMIC SABOTAGE.”

11 Sec. 5. A new Section 5 shall be inserted after Section 3 of Republic Act No.
12 10845 to read as:

13 “SEC. 5. THERE IS HEREBY CREATED AN INTER-
14 AGENCY COUNCIL ON ECONOMIC INTELLIGENCE,
15 HEREINAFTER REFERRED TO AS “COUNCIL”,
16 WHICH IS MANDATED TO ENFORCE THE
17 PROVISIONS OF THIS ACT AND TO PRINCIPALLY
18 COMBAT SMUGGLING, HOARDING,
19 PROFITEERING, AND CARTEL: *PROVIDED*, THAT
20 THE TASK FORCE SHALL BE CO-CHAired BY THE
21 DEPARTMENT OF AGRICULTURE (DA),
22 DEPARTMENT OF TRADE AND INDUSTRY (DTI),
23 AND THE BUREAU OF CUSTOMS (BOC) AND SHALL
24 INCLUDE AS MEMBERS THE DEPARTMENT OF
25 JUSTICE (DOJ), NATIONAL BUREAU OF
26 INVESTIGATION (NBI), DEPARTMENT OF THE
27 INTERIOR AND LOCAL GOVERNMENT (DILG),
28 PHILIPPINE NATIONAL POLICE (PNP), PHILIPPINE
29 COMPETITION COMMISSION (PCC), NATIONAL
30 SECURITY COUNCIL (NCS), AND NATIONAL
31 INTELLIGENCE COORDINATING AGENCY (NICA).”

1 (3) The registered owner and lessee of a warehouse, or
2 any property, who knowingly stores the smuggled,
3 **PROFITEERED, HOARDED, OR CARTELLED**
4 agricultural product subject to economic sabotage; or

5 (4) The registered owner, lessee, president or chief
6 executive officer of the private port, fish port, fish landing
7 sites, resorts, and airports who knowingly allows the
8 agricultural product to be smuggled into the country, **OR**
9 **TO BE HOARDED WITHIN THEIR FACILITIES.”**

10 Sec. 7. Section 7 of Republic Act No. 10845 is hereby amended to read as:

11 “Sec. 7. Prescription of Crimes. – The crimeS punishable
12 under this Act shall prescribe in twenty (20) years.”

13 Sec. 8. Implementing Rules and Regulations. – The **DA, DTI AND** BOC, in
14 consultation with concerned agencies, shall promulgate the implementing rules and
15 regulations of this Act within thirty (30) days upon its effectivity.

16 Sec. 9. Separability Clause. – If any portion of this Act is declared invalid or
17 unconstitutional the portions or provisions which are not affected shall continue to be
18 in full force and effect.

19 Sec. 10. Repealing Clause. – All laws, decrees, executive issuances, rules and
20 regulations inconsistent with this Act are hereby repealed and/or modified accordingly.

21 Sec. 11. Effectivity Clause. – This Act shall take effect after fifteen (15) days
22 following its publication either in the Official Gazette or in two (2) newspapers of
23 general circulation.

24 *Approved,*