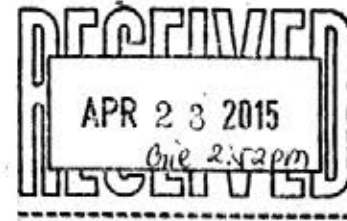




Republic of the Philippines
DEPARTMENT OF AGRICULTURE
Office of the Secretary
Elliptical Road, Diliman, Quezon City



13 April 2015

ADMINISTRATIVE ORDER NO. D6
Series of 2015

SUBJECT: PROVIDING FOR A STRENGTHENED AGRICULTURAL BIOTECHNOLOGY RESEARCH, DEVELOPMENT AND EXTENSION THROUGH A RESTRUCTURED MECHANISM FOR THE COORDINATION ON AND/OR IMPLEMENTATION OF THE R&D AGENDA/PROGRAM ON AGRICULTURAL BIOTECHNOLOGY

WHEREAS, the Department of Agriculture (DA) is mandated to create a policy environment conducive to sustained growth of incomes in the agriculture and fisheries sector by actively advocating for the adoption of policies supportive of long-term growth and development in the sector;

WHEREAS, the Agriculture and Fisheries Modernization Act (AFMA) of 1997 recognizes biotechnology as a tool for modernizing agriculture with a great potential for delivering products and technologies that will enhance agricultural productivity, profitability, and climate change resiliency, eventually helping improve the well-being of Filipinos;

WHEREAS, it has been recognized that commercialization of biotech products enables the agriculture sector to compete in a globalized economy and that biotechnology delivers solutions to technical problems affecting crops, livestock and fisheries;

WHEREAS, there is an existing network of DA research centers, which conduct agricultural biotechnology R&D and with facilities and manpower, that can be tapped and be pooled to save on meager government resources, consistent with government's rationalization efforts and thrust for establishment of small and medium-scale enterprises;

WHEREAS, the network consists of the Philippine Rice Research Institute, Philippine Carabao Center, Bureau of Fisheries and Aquatic Resources, Bureau of Plant Industry, Bureau of Animal Industry, Bureau of Agricultural Research, Sugar Regulatory Administration, National Tobacco Administration, Philippine Fiber Industry Development Authority, National Dairy Authority, National Meat Inspection Service, agricultural biotechnology research centers of DA Regional Field Offices, and other networks of agricultural biotechnology research institutions;

WHEREAS, affirming the existence of a network of DA research centers conducting agricultural biotechnology R&D and recognizing the need to rationalize agricultural biotechnology research, development and even commercialization, the DA, through Administrative Order (AO) No. 21, Series of 2005, established the Agricultural Biotechnology Center within the structure of the Philippine Rice Research Institute. The main goal of this

Center is the implementation of a “rationalized, effective and efficient agricultural biotechnology research and development agenda” for the DA;

WHEREAS, due to the increasing number and complexities in agricultural biotechnology issues and concerns, an enhanced coordinative and implementation mechanism is required to help ensure the realization of agricultural biotechnology R&D goals. The setting up of three biotechnology centers, which shall focus on biotechnology R&D for commodity clusters respectively assigned to them, is deemed necessary and appropriate for the purpose;

WHEREAS, the consolidation of biotechnology into an R&D framework strengthened with commodity clusters in the DA would facilitate and promote efficient use of government resources, allow scientific exchange and collaborations, access to available technologies, and enable the DA to effectively develop and implement commodity-specific and more inclusive national agricultural biotechnology R&D agenda;

WHEREAS, the Philippine Agriculture and Fisheries Biotechnology Program (DA Biotech Program) was created through AFMA to help orchestrate an enabling environment for judicious application of biotechnology in order to meet the challenges and requirements of a modernized agriculture and fisheries sector through an integrated approach involving support to policy formulation and advocacy, institutional capacity enhancement, technology development and commercialization, and increase public awareness for informed decision making, implemented by a Steering Committee (DA S.O. No. 355, s. 2000 as amended), Technical Committees (DA S.O. No. 388, s. 2001 as amended), and Program Office (DA A.O. No. 35, s. 2000 as amended);

WHEREAS, the Philippine Rice Research Institute (PhilRice), a premier agricultural research institute, having the state-of-the-art biotechnology facilities, highly trained biotechnology experts and practitioners, corporate and fiscal flexibility, management and financial experience and expertise essential for development and commercialization of agricultural biotechnology, and being initially identified as host to the DA Agricultural Biotechnology Center and eventually DA Crop Biotech Center, is the agency that could provide an environment most conducive for conducting and coordinating crop biotechnology R&D;

WHEREAS, the Philippine Carabao Center (PCC), a premier livestock research institute, having the state-of-the-art biotechnology facilities, highly trained biotechnology experts and practitioners, management and financial experience and expertise essential for development and commercialization of agricultural biotechnology, and being identified as host to the DA Livestock Biotech Center, is the agency that could provide an environment most conducive for conducting and coordinating livestock biotechnology R&D;

WHEREAS, the National Fisheries Research and Development Institute (NFRDI), being the primary research arm of the Bureau of Fisheries and Aquatic Resources (BFAR) and its national commodity centers, with highly trained biotechnology experts and practitioners, mandated to generate scientific information, technologies and knowledge that will address the needs of the fisheries industry, farmers’ and fisherfolks and to serve as basis for sustainable fisheries management, conservation and aquaculture, and policy formulation,

has been identified as host to the DA Fisheries Biotech Center that could provide an environment most conducive for conducting and coordinating fisheries biotechnology R&D;

WHEREAS, this issuance is consistent with the government rationalization program as this promotes consolidation and integration of biotechnology R&D initiatives, streamlining management and coordination framework, strong partnerships with local and international institutions for innovation and efficiency, and greater transparency and sectoral participation in R&D agenda setting and implementation;

WHEREAS, the DA Biotech Program Office has a competent track record in coordinating, facilitating, and streamlining biotechnology projects, regulations, activities, and R&D agenda with other government departments and institutions, as well as in establishing partnerships and collaborations with international and local institutions;

NOW, THEREFORE, I, PROCESO J. ALCALA, Secretary of Agriculture, by virtue of the powers vested in me by Section 7, Chapter II, Book IV of Executive Order No. 292 (Administrative Code of 1987) dated July 27, 1997 and Sections 2 and 9 of Executive Order No. 162 dated October 18, 1999, do hereby issue this **Order**, rescinding the previous **DA Administrative Order No. 21, series of 2005**, to promulgate a legal and institutional framework for the strengthening of the agricultural biotechnology R&D and commercialization in DA. For this purpose, biotechnology centers shall be reinforced within the structure of the Philippine Rice Research Institute, Philippine Carabao Center, and National Fisheries Research and Development Institute as host institutions under the biotechnology R&D coordination umbrella of the DA Biotech Program, as follows:

I. ESTABLISHMENT OF BIOTECHNOLOGY CENTERS

To facilitate a more integrated, focused, and more inclusive implementation of the R&D agenda on agricultural biotechnology, three Biotechnology Centers to be referred to as the Crop Biotech Center, Livestock Biotech Center, and Fisheries Biotech Center are hereby established as focal centers of a network consisting of DA attached agencies and satellite offices; bureaus and institutions, and regional offices; and its network of R&D institutions including other government and private organizations conducting basic and applied research and technology and product development.

II. DEFINITION OF TERMS AND DELINEATION OF SCOPE

Agricultural biotechnology refers to "A collection of scientific techniques used to improve plants, animals and microorganisms. Based on an understanding of DNA, scientists have developed solutions to increase agricultural productivity" (USAID, ABSP II, PBS, 2004).

Biotechnology, as defined by the Convention on Biological Diversity, is "any technological application that uses biological systems, living organisms, or derivatives

thereof, to make or modify products for specific use" (Convention on Biological Diversity, Rio de Janeiro, 1992). It encompasses traditional applications, such as fermentation and brewing; conventional techniques, such as tissue culture, plant regeneration, among others; and modern technologies, such as artificial insemination, genetic engineering, genomics, bioinformatics, among others.

Commodity clusters shall refer to groups with crop, livestock and fisheries classifications.

Crops, as referred to in this Order, covers all major, minor, non-food, industrial, permanent/perennial, priority, root, temporary, vegetable, and high value crops as defined by the Philippine Statistics Authority. It shall also include natural ingredients and finished herbal products derived from these crops.

Finished herbal products, refers to "herbal preparations made from one or more herbs. If more than one herb is used, the term mixture herbal product can also be used. Finished herbal products and mixture herbal products may contain excipients in addition to the active ingredients. However, finished products or mixture products to which chemically defined active substances have been added, including synthetic compounds and/or isolated constituents from herbal materials, are not considered to be herbal" (General Guidelines for Methodologies on Research and Evaluation of Traditional Medicine, 2000).

Fisheries, as defined by the Republic Act No. 8435 or the Agriculture and Fisheries Modernization Act of 1997, refers to "all systems or networks of interrelated activities which include the production, growing, harvesting, processing, marketing, developing, conserving, and managing of all aquatic resources and fisheries areas." For the purpose of this Order, it shall also cover extraction of natural ingredients and development of finished herbal products from fishery and aquatic resources.

Fisherfolk, as defined by the Philippine Statistics Authority, refers to "people who are directly or personally and physically engaged in catching and/or culturing and processing fishery and/or aquatic resources".

Intellectual property, refers to "creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce" (World Intellectual Property Organization).

Intellectual property rights, consists of copyright and related rights, trademarks and service marks, geographic indications, industrial designs, patents, layout designs of integrated circuits, and protection of undisclosed information (Republic Act No. 8293: Intellectual Property Code of the Philippines, 1998)

Natural ingredients, based on the adopted definition by the Chamber of Herbal Industries of the Philippines, refers to any plant, animal, or mineral products that results directly from agricultural production, harvest, farming or mining and is not transformed,

or is transformed exclusively using the physical processes (Chamber of Herbal Industries of the Philippines, Inc.).

Livestock, as defined by the Codex Alimentarius Commission, refers to “any domestic or domesticated animal including bovine (including buffalo and bison), ovine, porcine, caprine, equine, poultry and bees raised for food or in the production of food. The products of hunting or fishing of wild animals shall not be considered part of this definition” (Codex Alimentarius Commission, 2001). For the purpose of this Order, it shall also include natural ingredients and finished herbal products derived from animals and animal-products.

III. GOAL OF THE CENTERS

The work of the DA Biotechnology Centers shall be geared towards the goals of generating improved agricultural technologies, increasing productivity, and enhancing commercial potential value for crops, livestock and fisheries. All this will contribute to creation of more jobs, establishment of agricultural biotechnology enterprises, increasing farmer/fisherfolk incomes, and attainment of national food security, resiliency, and global competitiveness.

IV. OBJECTIVES OF THE CENTERS

The Centers shall have the following objectives:

- Establish a functional and strong agricultural biotechnology R&D network
- Promote the growth and expansion of a community of scientists to attain a critical mass in agricultural biotechnology R&D linked to international community
- Ensure that agricultural biotechnology products reach commercialization

V. ROLES, POWERS AND FUNCTIONS OF THE CENTERS

The Centers shall serve as the focal centers for the implementation of the R&D agenda on agricultural biotechnology for DA as well as the coordination and collaboration in a network consisting of DA attached agencies, bureaus and institutions, and its network of R&D institutions conducting basic and applied research and technology and product development on agricultural biotechnology for crops, livestock and fisheries, respectively.

Specifically, the Centers shall have the following powers and functions:

1. Expand, and help strengthen and sustain the research and development network for agricultural biotechnology

2. Create research teams for specific commodity concerns, which may be composed of scientists, researchers, experts and personnel from member-agencies of the agricultural biotechnology R&D network
3. Rationalize, support and promote agricultural biotechnology R&D and product commercialization
4. Assist in the development and implementation of an intellectual property protection and management program for biotechnologies generated by the DA R&D network
5. Initiate, coordinate, and/or undertake R&D projects and activities including joint and collaborative projects with local and foreign research institutions under the agricultural biotechnology R&D agenda
6. Facilitate access to and networking with advanced foreign and local laboratories for research and development collaboration and manpower development
7. Coordinate the development and training of young scientists from the DA, including students, in cutting-edge biotechnology tools and applications in order to enhance national capacity for biotechnology development and commercialization
8. Establish and operate knowledge management centers for efficiently accessing, managing and utilizing biotechnology-related information and knowledge assets
9. Generate funding from local and international, public and private donor communities, and forge modes of beneficial collaborations with them
10. Assist in monitoring and evaluating DA Biotechnology Program-funded research and development projects
11. Maintain close coordination with other government agencies and institutions implementing crops, livestock, and fisheries biotechnology R&D such as the Department of Science and Technology, University of the Philippines, state universities and colleges, and other agencies outside of DA
12. Enhance facilities and manpower capacity to host trainees, students, and research fellows under existing scholarship and research fellowship programs on agricultural biotechnology
13. Submit to the DA Biotech Program Office five-year plans, regular updates and reports related to the implementation of agricultural biotechnology R&D agenda
14. Perform other functions necessary for the accomplishment of the goal of the Centers

VI. PRIORITIES, STRATEGIES AND TARGETS

The DA Biotechnology Centers shall implement programs, projects and activities in accordance or consistent with the prevailing research and development agenda for agriculture and fisheries. This R&D agenda shall guide the work of the DA Biotechnology Centers in terms of priorities, strategies, targets, and related concerns.

VII. MANAGEMENT AND COORDINATION

1. COORDINATING BODY

To streamline management and coordination structures, the projects and activities of the three Centers shall be supported under the Philippine Agriculture and Fisheries Biotechnology Program (DA Biotech Program), and monitored and coordinated by the DA Biotech Program Office. As such, all projects and activities of the three Centers shall be consistent with the directions, thrusts, rules and guidelines set forth under the DA Biotech Program.

2. HOST INSTITUTIONS

In view of the foregoing premises, and existing institutional arrangement and capacities, the three Centers shall be strengthened at the Philippine Rice Research Institute for crop biotechnology, Philippine Carabao Center for livestock biotechnology, and the National Fisheries Research and Development Institute for fisheries biotechnology.

3. CENTER CHIEF

Each Center shall be managed and supervised by a chief duly assigned by the head of the respective host institutions. The Center chief shall be selected based on the following minimum qualifications:

- Must have managed a unit of the institution or other agencies or a research group for at least three years
- Must have ten refereed research publications, at least five in ISI-journals with at least three publications as senior author

The Center chief shall have the following powers and functions:

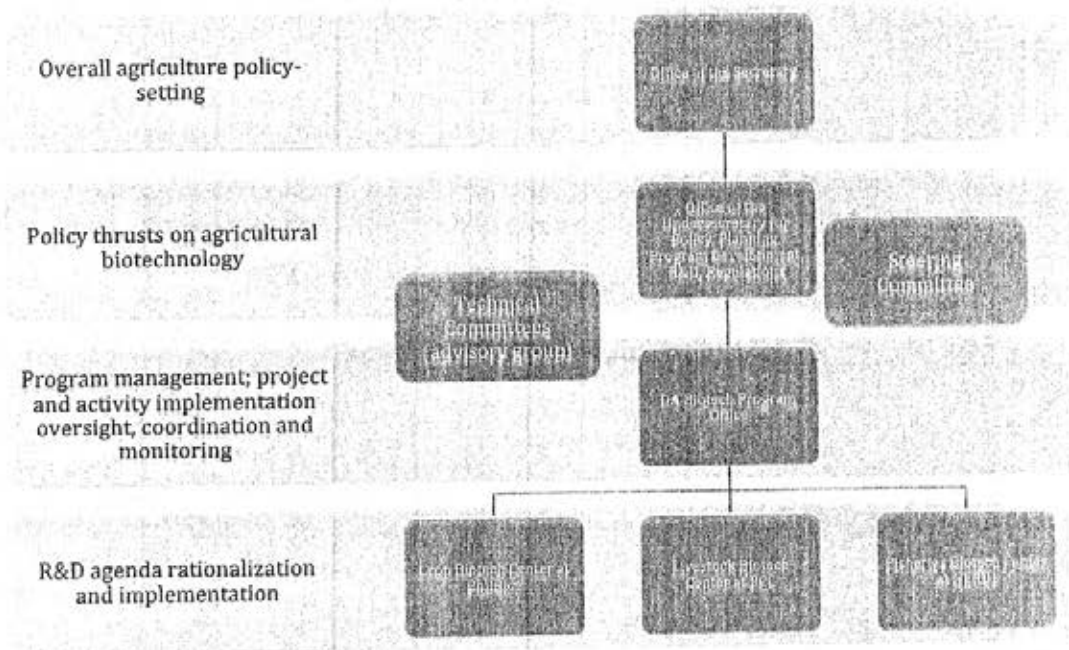
- a. Implement policies, decisions, orders, projects, plans, activities, rules and regulations promulgated by the DA Biotech Program management in close consultation and concurrence with those of the host institutions
- b. Exercise over-all supervision and direction over the implementation of all research and development projects and activities of the Center
- c. Supervise and direct the management, operation and administration of the Center
- d. Promote and protect intellectual property rights of government-funded research in accordance to the Republic Act No. 10055, s. 2010
- e. Exercise such other powers and functions and perform such other duties as may be authorized or assigned by the head of the host institution and DA Biotech Program management

Each Center shall also be supported by full-time staff composed of, but not limited to, four biotechnologists, four technical personnel, and one administrative and finance officer who will supervise, oversee, implement research collaborations, and handle projects and activities of each Center.

This issuance shall be operationalized through pertinent special orders.

4. FRAMEWORK FOR COORDINATION OF RESEARCH AND DEVELOPMENT INITIATIVES ON AGRICULTURAL BIOTECHNOLOGY

Coordination of projects and activities of the three Centers shall be performed mainly by the DA Biotech Program Office, guided by its Program Steering Committee and technical committees. The framework for R&D agenda for agricultural biotechnology shall be as follows:



VIII. FUNDING

The core funding for the operations of the Centers shall be charged to the current DA GAA for Biotechnology Program. The Chiefs of the Centers are authorized to source out funds from local and foreign donors whether public or private grants, endowments, equities, investments, capital contributions, and any other source.

IX. FUND MANAGEMENT

All funds released to the Centers shall be managed and disbursed by the Center Chief, under the fiscal control and management procedures of the host institutions and the Department of Agriculture. Furthermore, the management and utilization of funds released to the Centers shall be done in accordance with the applicable accounting and auditing rules and procedures.

X. REPEALING CLAUSE

This Administrative Order supersedes DA AO No. 21, Series of 2005.

All other issuances inconsistent with this Order are hereby modified, revoked or repealed accordingly.

XI. SEPARABILITY CLAUSE

The provisions of this Order are hereby declared to be separable. In the event that one or more of its provisions are held to be inconsistent, the validity of the other provisions shall not be affected thereby.

XII. EFFECTIVITY CLAUSE

This **ORDER** shall take effect immediately and it shall be operationalized through pertinent special orders.

Signed on 04.20 2015


PROCESO L. ALCALA
Secretary

DEPARTMENT OF AGRICULTURE
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