



Republic of the Philippines
PROVINCE OF BENGUET
Capitol, La Trinidad
OFFICE OF THE SANGGUNIANG PALALAWIGAN

REGULAR MEETING –NOVEMBER 28, 2011

PRESENT: HON. CRESCENCIO C. PACALSO, Vice Governor, Presiding Officer
HON. NELSON C. DANGWA, Board Member
HON. JUAN M. NAZARRO, JR., Board Member
HON. ALFONSO L. FIANZA, Board Member
HON. FLORENCE B. TINGBAOEN, Board Member
HON. APOLINARIO T. CAMSOL, Board Member
HON. ROGELIO P LEON, Board Member
HON. CONCEPCION D. BALAO, Board Member
HON. BENJAMIN C. SAGUID, Board Member
HON. JOHNNY D. WAGUIS, Board Member
HON. NARDO B. CAYAT, Board Member
HON. BERNARD S. WACLIN, PCL President, Ex-Officio Member
HON. DANVILLE D. ALIMONDO, SKF President, Ex-Officio Member
HON. PACITO K. DONATO, ABC President, Ex-Officio Member

ABSENT: NONE

PROVINCIAL ORDINANCE NO. 11-150

AN ORDINANCE MANDATING THE COLLECTION AND PROPER DISPOSAL OF EMPTY PESTICIDE CONTAINERS WITHIN THE PROVINCE OF BENGUET AND PROVIDING PENALTIES FOR VIOLATION THEREOF

WHEREAS, pesticide containers have been observed to be potential sources of environmental contamination and pollution;

WHEREAS, some farmers or users of pesticides have the practice of throwing indiscriminately their used/empty pesticide containers along canals, dikes, rivers and creeks. They litter everywhere unmindful of the danger it pose to the environment;

WHEREAS, the Pesticide Industry has initiated an empty container management program through a pilot project in the Municipality of Buguias, Benguet Province;

WHEREAS, there is a need to extend and strengthen said program in the Province of Benguet by way of support from the provincial government and its constituent Local Government Units;

WHEREAS, under Section 468, Par. 1 (vi) of R.A. No. 7160, otherwise known as the Local Government Code of 1991, as amended, the Sangguniang Panlalawigan is empowered to pass resolutions to protect the environment and impose appropriate penalties for acts and other activities which may endanger the environment such as pollution, acceleration of eutrophication of rivers and lakes thereby causing ecological imbalance;

WHEREAS, there is a need for this Body to pass an ordinance mandating all agrochemical companies, distributors, and dealers within the Province of Benguet to collect their empty pesticide containers and to encourage farmers to bring their empty pesticide containers to designated areas.

NOW THEREFORE, ON MOTION DULY SECONDED, BE IT ORDAINED BY THE SANGGUNIANG PANLALAWIGAN IN SESSION ASSEMBLED THAT:

Section 1. Title and Scope. This Ordinance shall be known as "**Empty Pesticide Container Management Ordinance of the Province of Benguet**". It involves the triple rinsing of empty pesticide containers by the farmers, collection and disposal by distributors, dealers, and agrochemical companies in cooperation with the Provincial Government of Benguet and its Constituent Local Government Units.

Section 2. Definition of Terms as used in this Ordinance.

- a. **Pesticide** – Any substance or product, or mixture thereof, including active ingredients, adjuvants and pesticide formulations, intended to control, prevent, destroy, repel or mitigate directly or indirectly any pest. It shall be understood to include insecticide, fungicide, bactericide, nematocide, herbicide, molluscide, avicide, rodenticide, plant regulator, defoliant, dessicant, and the like.
- b. **Empty pesticide Container** – refers either to bottles (glass, PET, CoEx, plastic), boxes, or sachets.
- c. **Collection Center** – refers to an enclosed designated area for temporary storage of empty pesticide containers.
- d. **Agrochemical Company** - refers to those duly registered entities engaged in the manufacture and distribution of pesticides for crop protection.
- e. **Distributors/Dealers** – refers to those authorized agents or representatives involved in the retail sales and promotion of pesticides to farmers.
- f. **Suppliers** – includes agrochemical companies, distributors/ dealers as defined above.
- g. **FPA** – refers to the Fertilizer and Pesticides Authority.
- h. **Triple Rinsing** – An on-farm practice involving proper rinsing of pesticide containers three times (3X) with uncontaminated water and using the resulting rinsate as part of the spray solution.

Section 3. Information, Education and Training. The Agrochemical Companies and Local Government Units are enjoined to conduct information and education campaign among farmers relative to the use and proper handling of pesticides, rinsing and disposal of the same.

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Section 4. Collection and Sale of Pesticide Containers.

- a. Local Government Units (barangays/municipalities) shall establish collection centers to ensure availability of storage sites for empty pesticide containers prior to final disposal.
- b. Farmers are required to attend the information and education campaigns conducted by the agrochemical companies and the Local Government Units. Farmers must triple rinse empty/used pesticide containers before depositing the same at the designated barangay and municipal collection centers. Representatives of agrochemical companies and their distributors and dealers shall collect the triple rinsed pesticide containers from the barangay and municipal collection centers for proper disposal.
- c. Empty pesticide containers shall not be sold to junk shops. The pesticide industry, in close coordination with the FPA and the Provincial Task Force on Empty Pesticide Containers, shall handle the arrangement for the disposal, for instance, the possibility for the pesticide industry to buy back the triple rinsed bottle, etc.. With FPA's mandate, the cost of disposal (e.g. collection of empty pesticide containers from the center and delivering them to the appropriate disposal points) shall be shouldered by all pesticide suppliers concerned.
- d. Agro-chemical companies/dealers/distributors shall contribute in the prevention of environmental pollution and degradation by not selling or distributing banned/restricted pesticides and through judicious sale and distribution of the highly toxic red and yellow-labeled pesticides. Farmers shall buy only registered pesticides from accredited or authorized dealers/distributors and shall not buy from ambulant vendors.

Section 5. Monitoring and Supervision.

- a. Barangay Officials shall supervise the collection of empty pesticide containers in their respective areas of jurisdiction. They shall form their own task force for this purpose.
- b. The Municipalities shall form or organize their own stakeholder task force on pesticide empty containers management.
- c. The Provincial Chief Executive shall organize a Provincial Task Force on Empty Pesticide Container Management composed of the Chairmen of the Committee on Agriculture and the Committee on Environment of the Sangguniang Panlalawigan of the Province of Benguet, the Provincial Agriculturist, the Municipal Agriculturist, FPA representative and Representatives from the Pesticide Industry. In the same token, the Municipal Governments shall also form their own respective stakeholder's task force. The FPA shall ensure compliance by all agrochemical companies and their distributors and dealers.

Section 6. Penalties.

- a. Local Government Units who violate this Ordinance shall be subject to administrative case/s pursuant to the provisions of the Local Government Code of 1991, as amended.
- b. Violation of this Ordinance by any agrochemical company, dealer or distributor shall be punishable by a fine of One Thousand Pesos (P1,000.00), Philippine Currency, for the 1st offense, fine of Two Thousand (P2,000.00) Pesos, Philippine Currency, or imprisonment of not less than One (1) Month, or both such fine and imprisonment, at the discretion of the court, for the 2nd offense and the total ban of the sale of their products for the 3rd offense.

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c. Violation of this Ordinance by any farmer shall be a ground for disqualification to avail of any government agricultural assistance and shall be sanctioned with the same penalty given as punishment for agrochemical dealers who violate this ordinance as cited in foregoing section.

Section 7. Repealing Clause. All rules, regulations, ordinances, orders and/or circulars, which are contrary to, or inconsistent with, the provisions of this Ordinance, are hereby repealed or modified accordingly.

Section 8. Effectivity. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991, as amended.

APPROVED.


NELSON C. DANGWA
Board Member


JUAN M. NAZARRO, JR.
Board Member


ALFONSO L. FIANZA
Board Member


FLORENCE B. TINGBAOEN
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SKF Pres., Ex-Officio Member


PACITO K. DONATO
ABC Pres., Ex-Officio Member

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CERTIFIED CORRECT:



ATTY. FRENZEL A. AYONG
Secretary to the Sanggunian

ATTESTED:



CRESCENCIO C. PACALSO
Provincial Vice Governor
Presiding Officer

APPROVED:



NESTOR B. FONGWAN
Provincial Governor

Date: _____