

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

13th Congress
First Regular Session

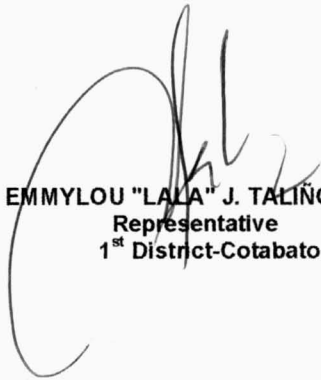
HOUSE BILL NO: 2085



Introduced by Representative Emmylou "Lala" J. Talino-Santos

Explanatory Note

This bills seeks to amend Sections 77 and 84 of R.A. 7394, Otherwise known as the Consumers' Act of the Philippines - to require: a) the mandatory labeling; and b) segregation of consumer products and food containing genetically engineered ingredients and food produced by means of genetic engineering technologies. In this manner, consumers will be adequately informed and educated of the kind consumer and/or food products to buy in the market and to facilitate their sound choice of the same, thus, enhancing their protection and interest and at the same time establishing higher standards of conduct for business and industry particularly concerning consumer and food products.


EMMYLOU "LALA" J. TALINO-SANTOS
Representative
1st District-Cotabato

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

13th Congress
First Regular Session

HOUSE BILL NO: 2085

Introduced by Representative Emmylou "Lala" J. Taliño-Santos

AN ACT REQUIRING THE MANDATORY LABELING AND SEGREGATION OF CONSUMER PRODUCTS AND FOOD CONTAINING GENETICALLY ENGINEERED INGREDIENTS AND FOOD PRODUCED BY MEANS OF GENETIC ENGINEERING TECHNOLOGIES, AMENDING FOR THAT PURPOSE REPUBLIC ACT NUMBERED SEVEN THOUSAND THREE HUNDRED NINETY FOUR, OTHERWISE KNOWN AS THE CONSUMERS' ACT OF THE PHILIPPINES AND FOR OTHER PURPOSES.

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

Section 1. Short Title - This Act shall be known as "Genetically Engineered Food Mandatory Labeling and Segregation Act."

Section 2. Mandatory Labeling Requirement - Article 77 and Article 84 of Republic Act Numbered Seven Thousand Three Hundred Ninety Four, Otherwise Known as the Consumers' Act of the Philippines are hereby to read as follows:

"Article 77. Mandatory Labeling Requirement for Consumer Products. - All consumer products domestically sold whether manufactured locally or imported shall indicate the following in the respective labels of packaging:

- a. its correct and registered trade name or brand name;
- b. its duly registered trademark;
- c. its duly registered business name;
- d. the address of the manufacturer, importer, re-packer of the consumer product in the Philippines;
- e. its general make or active ingredients whether natural, synthetic or genetically engineered or produced by means of genetic engineering technologies. Provided, that if a consumer product contains genetically modified organisms or genetically engineered ingredients, including those produced by genetic engineered ingredients, including those produced by genetic engineering technologies, it shall legibly and conspicuously indicate in its label of packaging the following:
 1. A notice immediately preceding the warning required in item (2) hereof as follows: "GENETICALLY ENGINEERED" which shall not be less than twice the size of the warning required in item (2);
 2. A warning as follows: "GOVERNMENT WARNING: THIS PRODUCT CONTAINS GENETICALLY ENGINEERED INGREDIENT OR WAS PRODUCED WITH GENETICALLY ENGINEERED MATERIAL."
- f. the net quantity of contents, in terms of weight, measure or numerical count rounded off to at least the nearest tenths in the metric system;
- g. country of manufacture, if imported; and

- h. if a consumer product is manufactured, refilled or repacked under license from a principal, the label shall so state the fact;

The following may required by the concerned department in accordance with the rules and regulations they will promulgate under authority of this Act :

- a. whether it is flammable or inflammable;
- b. directions for use, if necessary;
- c. warning of toxicity;
- d. wattage, voltage or amperes; or
- e. process of manufacture used, if necessary.

Any word statement or other information required by or under authority of the preceding paragraph shall appear on the label or labeling with such conspicuousness as compared with other words, statements, designs, or devices therein, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase or use.

The above requirements shall form an integral part of the label without danger of being erased or detached under ordinary handling of the product.

"Article 84. Additional Labeling Requirements for Food. The following additional requirements shall be imposed by the concerned department for food :

- a. expiry or expiration date where applicable;
- b. whether the consumer product is semi-processed, fully processed, ready-to-cook, ready-to-eat, prepared food or just plain mixture;
- c. nutritive value, if any;
- d. in the case restaurants and other establishments in which food is served for immediate human consumption, a notice must be conspicuously placed in the menu, as follows :

"THIS RECIPE CONTAINS GENETICALLY ENGINEERED INGREDIENT OR
WAS PREPARED WITH GENETICALLY ENGINEERED MATERIAL."

- e. such other labeling requirements as the concerned department may deem necessary and reasonable."

Section 3. Mandatory Segregation. All supermarkets selling consumer products containing genetically modified organisms or genetically engineered ingredients, including those produced by genetic engineering technologies, shall segregate and display them separately in shelves from other consumers products whose ingredients are naturally grown. On top of said shelves shall conspicuously contain a sign which reads.

"THESE CONSUMER PRODUCTS CONTAIN GENETICALLY ENGINEERED
INGREDIENTS OR WAS PREPARED WITH A GENETICALLY ENGINEERED
MATERIAL"

Section 4. For purpose of this Act, the following definitions shall apply :

- a. "consumer product" - means goods, which are primarily for personal, family, household or agricultural purposes which shall include but not limited to food, food additives, poultry products, meat and dairy products, drugs cosmetics and devices.
- b. "genetically engineered ingredients or material" - means material derived from any part of a genetically engineered organism, without regard to whether the altered molecular or cellular characteristics of the organism are detectable in material.
- c. "genetically modified organism" - means an organism containing genes coming from the same or different organism introduced through genetic engineering techniques.

- d. "genetic engineering" - means all technologies that artificially moves genes from one organism to another to produce a new more organism by means of manipulation of genetic material and other biologically important chemicals that change the genetic make up of living organism.

Section 5. Penalties. Any person who shall violate the provisions of this Act shall be subject to a fine less than TWENTY THOUSAND PESOS (Php20,000.00) but not more than FIFTY THOUSAND PESOS (Php50,000.00) for each such violation or imprisonment of not less than three years but not more than six years or both, at the discretion of the court. If the offended is a juridical person, the penalty shall be imposed upon its president, manager or head. If the offender is an alien, he shall after service of sentence, be immediately deported without need of any further proceedings.

Section 6. Separability Clause. If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

Section 7. Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act, is hereby repealed, modified or amended accordingly.

Section 8. Effectivity Clause. This Act shall take effect fifteen (15) days after its publication in at least 2 newspapers of general circulation

Approved, _____,