

Republic of the Philippines
House Of Representatives
Quezon City, Metro Manila

THIRTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 4530



Introduced by Hon. Mark O. Cojuangco

Explanatory Note

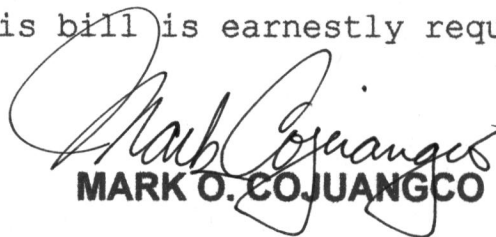
It is a declared policy of the State that compulsory fair packaging shall be enforced to enable the consumer to obtain accurate information as to the nature, quality and quantity of the contents of consumer products and to facilitate his comparison of the value of such products.

Milk consumers are improperly informed of the product description and method of processing of milk sold in domestic market resulting from false and misleading labels.

It is a milk marketing practice that milk other than fresh milk is labeled as "Fresh milk".

This bill aims to protect consumers from being confused or misled from mislabels and to ensure fair practices in the milk trade.

Immediate passage of this bill is earnestly requested.


MARK O. COJUANGCO

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AN ACT
DEFINING FRESH MILK 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 " Fresh Milk Act of 2005."

SECTION 2. Declaration of Policy. — It is the declared policy of the State to enforce compulsory fair packaging to enable the consumer to obtain accurate information as to the nature, quality and quantity of the contents of consumer products and to facilitate his comparison of the value of such products.

SECTION 3. Definition of terms. — For purposes of this act, the following terms or phrases used herein shall mean or be understood as follows:

- a. Fresh Milk — pasteurized fresh milk with limited shelf life and requiring refrigeration.
- b. Pasteurized fresh milk — milk which has been subject to a temperature not lower than 63C (145F) and held continuously at that temperature for not less than 30 minutes, or at least 72C (161F) and held continuously at that temperature for at least 15 seconds. Then promptly cooled to 10C (50F) or lower, provided that nothing in this definition shall be construed as barring any other pasteurization

process which has been recognized to be equally efficient and which is approved by health authorities.

c. Ultra High Temperature (UHT) milk – ultra high temperature processed milk with shelf life exceeding one month at ambient temperature without refrigeration.

d. Ultra High Temperature Processing – sterilization process where product is heat-treated in a continuous flow at a temperature of not less than 135C for a very short time.

SECTION 4. *Mislabeled Food.* - UHT milk or any milk other than Fresh milk but is represented or purports to be Fresh milk shall be considered as Mislabeled Food and shall be dealt with in accordance with Republic Act No. 7394 otherwise known as the Consumer Act of the Philippines.

SECTION 5. *Implementing Agency.* – The National Dairy Authority (NDA) in coordination with the Bureau of Food and Drugs Administration shall ensure the proper labeling of milk sold in the Philippine market in accordance with this Act.

SECTION 6. *Separability Clause.* - If for any reason, any section or provision of this Act is declared to be unconstitutional, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 7. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, and other issuances, or any part thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly

SECTION 8. *Effectivity Clause.* — This Act shall take effect fifteen (15) days from the date of its publication in at least two (2) newspapers of general circulation.

Approved,