

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. **3972**

Introduced by: **HON. ANGELO B. PALMONES**

EXPLANATORY NOTE

Food as it is produced/processed, stored, moved/distributed and served in public places is exposed to hazards that pose risk to human health. These hazards that could cause human illness, injury or death are of three types: biological hazards, such as food-borne microbial pathogens, viruses, parasites and fungi; chemical hazards such as toxins, allergens, heavy metals, unallowed food additives, antibiotic and pesticide residues; and physical hazards such as foreign objects like glass. The existence of hazards could be due to environmental contamination as mercury in tuna, red tide toxin in mussels; poor production and handling practices as hormones in chicken, amoeba and *Salmonella* in salad vegetables, antibiotics in shrimps, botox in poorly canned goods, aflatoxin as well as *Salmonella* in peanut butter; or it could be due to intentional adulteration as melamine in milk. The list is long. Also, new contagious diseases borne by livestock and meat but transmissible to humans such as the current Mexican version of swine flu, the "Mad cow disease" transmitted by infected cows and feed containing meat from diseased animals and Avian flu transmitted by fowls have emerged. Food-borne illnesses rank within the top five major illnesses in the country.

There is no single coherent national policy that imposes measures to protect food from hazards as it moves along the food chain. Existing food safety laws and subsequent issuances covers only some aspects of the food chain: R.A. 8172 Asin Law, R.A. No. 9296 The Meat Inspection Code of the Philippines, R.A. No. 8976 Food Fortification Law, R.A. No. 8485 The Animal Welfare Act, R.A. No. 8435 The Agriculture and Fisheries Modernization Act, R.A. 7394 Consumer Act of the Philippines, E.O. No. 175, Amendments to Republic Act No. 3720, E.O. No. 851, Reorganizing the Ministry of Health, P.D 1144 Creating the Fertilizer and Pesticide Authority, R.A. No.3720 Food Drug and Cosmetic Act, Republic Act 9711 Food and Drug Administration Act and Republic Act 9997 National Commission on Muslim Filipinos Act. The main food safety agency, Food and Drug Administration formerly the Bureau of Food and Drug regulates processed food only. There is no national guideline for the minimum required facilities for food service establishments such as restaurants, fast foods, *carinderias*, canteens and homes and kitchens that cater or hawk food on streets although they are under the jurisdiction of LGUs as mandated in the Local Government Code (R.A No. 7160). Also, among agencies concerned with food safety, there are overlaps in function.

Nevertheless, there is now sufficient experience to put in place a food safety system that can address food hazards. The rapid response of the Department of Health with guidance from the World Health Organization in monitoring the entry of infected individuals, the temporary bans imposed by the Bureau of Animal Industry on livestock, meat and meat products from countries known to have the new infectious diseases and the seasonal advisories of the Bureau of Fisheries on the red tide toxin in mussels all have effectively reduced these threats. The confiscation and destruction of

“double dead meat” by the National Meat Inspection Service is often reported. The Fertilizer and Pesticide Authority sets minimum pesticide residue levels on agricultural commodities.

Food safety agencies are not well-equipped to implement many food safety policies. For example, the resources of the Food and Drug Administration formerly Bureau of Food and Drugs established in 1963 have not kept up with the demands of increasing regulatory functions mandated by subsequent laws. Testing of imported breeding stocks of cattle, hog, goats and fowls require resources not always available from the Bureau of Animal Industry. The National Meat Inspection Service has limited capability to enforce standards due to noncooperation of meat establishments, inadequate infrastructure and limited funding.

The world trade in foods is one of the biggest industries that the Philippines can participate in but such participation requires compliance with international standards for product safety and quality. In accordance with international agreements to which the Philippines is signatory, the country has accepted the food safety standards developed by the Codex Alimentarius Commission in international trade. Until recently, however, the Philippines either did not participate at Codex or participated ineffectively. The recent creation of a National Codex Organization by the Department of Agriculture as a joint body with the Department of Health, has to be strengthened as it commits the country to international food safety standards that affect trade and the health of consumers.

The global *halal* food industry is a big food market, growing from US\$500 billion in 2004 to more than US\$600 billion in 2009. There are thirty Philippine companies certified for producing and exporting *halal* foods. However, an audit by some importing countries indicated the lax certification of imported *halal* foods. Thus, international guidelines to ensure the integrity of *halal* food certification are being drafted for adoption by the Organization of Islamic Conference. To ensure the integrity of the Philippine certification process, there is a need for a watchdog to ensure that *halal* foods are honestly labeled and that *halal* certifying bodies in the Philippines follow the international guidelines. More resources are needed to assist our food producers and an official government accreditation body should be recognized to accredit certifying bodies that certify to *halal* and other international guidelines and standards.

Compliance with international standards for testing is essential to getting international recognition of testing results by importing countries. When the requirements for valid testing methods and good laboratory practices are not followed, importing countries have a right not to engage exporting countries in resolving differences in testing results. On the other hand, when results of tests are credible, the Philippines have the right to question conflicting findings. This gives local producers the confidence to invest in testing and in practices that lead to good quality products as verified by testing.

Laboratory analytical procedures are rapidly developing as a function of rapid advances in science and in response to the emergence of new threats to food safety. The unnecessary duplication of food safety testing laboratories and the cumbersome budgeting, accounting and auditing procedures under which they operate prevent the Philippines from establishing a credible food safety testing program in government and to respond to industry's needs for testing. This negates the many other efforts taken to succeed in the market. There is a need for a new system of managing laboratory services in government if the country is to achieve international standards.

This comprehensive act intends to put in place a coordinated system for ensuring the safety of foods for local consumption and international trade. It makes a declaration of policy, delineates and coordinates the functions of agencies according to their existing mandates so that they can function to their level of competence as dictated by these mandates. It establishes a more appropriate

management system for public analytical service laboratories in order to protect the health of the consuming public, imbue confidence in the food safety system, prevent epidemics due to food-borne diseases and empower the food industry to participate in the global food business.



ANGELO B. PALMONES

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**AN ACT
TO ENSURE THAT FOODS AVAILABLE TO THE PUBLIC ARE SAFE BY
CONSOLIDATING THE EFFORTS OF AND STRENGTHENING CONCERNED
GOVERNMENT AGENCIES AND OTHER PURPOSES**

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

**ARTICLE I
TITLE, DECLARATION OF POLICY AND OBJECTIVES**

Section 1. Title: This Act shall be known as the Food Safety Act of 2011.

Section 2. Declaration of Policy: It is the policy of the State to safeguard the health of the consuming public and to adopt strategies to achieve food safety. Thus, it is the policy of the State to ensure that the available food is safe. The State recognizes that food is subject to threats of contamination, both local and foreign, and that appropriate safeguards must be instituted so that the food consumed by the populace is safe, consumers have confidence in the food safety system and the spread of food borne diseases is prevented.

Section 3. Objective: The objective of this Act is to put in place a coordinated food safety system by clearly delineating mandates and functions of concerned agencies, strengthening agencies involved in the food safety system where needed, participating in the international standard setting system of the Codex Alimentarius Commission, prescribing minimum standards for food safety, strengthening research and testing of contaminants causing food borne illnesses and establishing a more appropriate management system for public analytical service laboratories in order to ensure the credibility of test results, protect the health of the consuming public, imbue confidence in the food safety system, prevent epidemics due to food borne diseases, prevent intentional contamination of the food supply and empower our food industry to participate in the global food business.

**ARTICLE II
DEFINITION OF TERMS**

Section 4. Definition of terms - For the purposes of this Act, the term:

1. *Abattoir/slaughterhouse* refers to the term as defined in R.A. 9296 Sec 4.1.

2. *Accreditation* means the procedure by which an authoritative body grants formal recognition, under duly established guidelines and rules, to another body that it is competent to carry out specific tasks
3. *Administration* refers to the Food and Drug Administration formerly known as BFAD, Bureau of Food and Drugs
4. *Adulteration* refers to ways by which adulterated food is made as described in R.A. 3720 Section 14
5. *Advertise* means to engage in promotional activities including but not limited to, newspaper, radio, Internet and electronic media, and television advertising; the distribution of fliers and circulars; and the display in window and interior design
6. *Agricultural produce* refers to both raw agricultural commodity and minimally processed food including fish and other aquaculture products
7. *BPI* refers to the Bureau of Plant Industry
8. *Canned food* – food in hermetically sealed container
9. *Certification* means third party attestation related to products, processes, systems or persons
10. *Color additive* means a dye, pigment or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source, and is added to a food purposely to impart color, alone or through its reaction with other substances. The color includes black, white, intermediate grays and the colors of the rainbow and their various combinations. This definition does not include any agricultural chemical used to aid, retard or affect the natural physiological processes of the produce and affecting its color whether before or after harvest
11. *Commission* refers to the National Commission on Muslim Filipinos
12. *Contaminant* a term that includes a bacterium, chemical, natural toxin or manufactured toxicant, virus, parasite, prion, physical hazard, or other human pathogen that when found on or in food can cause human illness, injury, or death.
13. *Council* refers to the National Food Safety Council
14. *DA* refers to the Department of Agriculture
15. *DOH* refers to the Department of Health
16. *DOST* refers to the Department of Science and Technology
17. *DTI* refers to the Department of Trade and Industry
18. *FDA* refers to the Food and Drug Administration
19. *Food* encompasses the definitions as given in R.A. No. 3720 Chapter V Section 10e and R.A. 9711 Section 10e
20. *Food additive* refers to the term as defined in R.A. No. 3720 Chapter V Section 10
21. *Food-borne illness* refers to disease caused by the ingestion of food contaminated with a pathogen
22. *Food-borne illness outbreak* means the occurrence of 2 or more cases of a similar illness resulting from the ingestion of a common food.
23. *Food establishments* refers to food manufacturing and food service establishments
24. *Food manufacturing entities* means establishments that manufacture, process, and package foods for distribution and sale.
25. *Food production facility* means any farm, ranch, orchard, aquaculture facility, or confined animal-feeding operation including meat establishments regulated by R.A. 9296.
26. *Food safety system* refers to the provisions of the following laws on the regulation of food to keep it safe: R.A. 8172 Asin Law of 2005, R.A. No. 9296 The Meat Inspection Code of the Philippines of 2004, 8 Ser 2002, R.A. No. 8976 Food Fortification Law of 2000, R.A. No. 8485 The Animal welfare Act of 1998, R.A. No. 8435 The Agriculture and Fisheries Modernization Act of 1997, R.A. 7394 Consumer Act of the Philippines of 1991, E.O. No.

175. Amendments to Republic Act No. 3720 of 1987, E.O. No. 851, Reorganizing the Ministry of Health in 1982, P.D. 1144 Creating the Fertilizer and Pesticide Authority, 1977, R.A. No. 3720 Food Drug and Cosmetic Act of 1963, R.A. 9711 Food and Drug Administration Act of 2009 and the provisions of this Act including the agencies mandated to implement them as well as all regulated entities.
27. *Food service providers* refer to establishments and individuals that cater or serve food for consumption directly to the public such as restaurants, food canteens, *carinderias*, street vendors and the like
28. *Food supplement* refers to articles in their complex, unpurified form used as a source of specific nutrients
29. *Foreign food establishment* means any food establishment or food production facility located outside the Philippines that processes or produces food or food ingredients for consumption in the Philippines
30. *Halal* means objects or actions that are permissible or lawful under Shariah, "Halal" means prepared under and maintained in strict compliance with the laws and customs of the Islamic religion
31. *Halal food* refers to food certified *halal* by a registered certifying body in conformance with Islamic law and international guidelines that ensure integrity, purity and safety.
32. *Hazard* refers to traits inherent to or objects acquired by food that may cause harm to human or animal health
33. *Hazardous contamination* refers to the presence of a contaminant in food at levels that pose a risk of human illness, injury, or death or are capable of reaching levels that pose such risk during the shelf life of the product.
34. *Kosher food* means a food product which has been prepared, processed, manufactured, maintained, and sold in accordance with the requisites of traditional Jewish dietary law.
35. *Label* refers to the term as defined in R.A. No. 9711 Section 10i
36. *Labeling* refers to the term as defined in R.A. No. 3720 Chapter V Section 10k
37. LGU refers to local government unit
38. *Minimally processed food* refers to agricultural commodity whole or cut, cleaned, dried, frozen and packed in bulk or in retail prior to marketing and remains identifiable in its natural form. This definition does not include pasteurized milk or other liquid foods subjected to heat or radiation and canned and sterilized produce.
39. *Misbranding* refers to the deliberate labeling or advertising of a food that is misleading, where the labeling and/or advertising claims certain properties of the food that could not be supported by a reliable source, a certifying body or scientific evidence. See also R.A. No. 3720 Chapter V Section 10m and R.A. No. 9711 Section 10jj.
40. *NEC* refers to the National Epidemiology Center
41. *NFSC* refers to the National Food Safety Council
42. *NMIS* refers to the National Meat Inspection Service
43. *Packaged food* means a food commodity put up or packaged in any manner in advance of sale in units suitable for retail sale and which is not intended for consumption at the point of manufacture.
44. *Pathogen* refers to a microorganism and other microscopic and submicroscopic self-reproducing biological entity that can cause illness or death to humans
45. *Pesticide* refers to any chemical substance within the meaning of a pesticide as described in the P.D. No. 1144 Section 3 including all active and inert ingredients of such pesticide. It includes other chemicals used to protect raw agricultural commodity from spoilage due to microbial action such as ethylene oxide and propylene oxide. It does not include a substance of similar action if used as such in food or in the water that comes directly in contact with the food.

46. *Pesticide residue* refers a residue in or on raw agricultural commodity or processed food of a chemical pesticide or any substance present in the food primarily as a result of the metabolism or degradation of a chemical pesticide
47. *PFSRI* refers to the Philippine Food Safety Research Institute
48. *Program* refers to the National Food Safety Program
49. *Processed food* refers to food that has been subjected to chemical including enzymatic, microbial, irradiation or other physical processes, canned or packaged and has lost its natural form and state prior to marketing. This definition includes pasteurized milk or other liquid foods subjected to heat or radiation and canned and sterilized produce.
50. *Raw agricultural commodity* means any food whether cultivated, grown or hunted/gathered in its raw or natural state, including fresh cuts of meats and fish, dehusked seeds and nuts, and all fruits that are washed, colored or otherwise treated in their unpeeled natural form prior to marketing
51. *Risk assessment* refers to the procedure that identifies, evaluates and predicts the occurrence of possible hazards to human and animal health and the environment and designs mitigating measures to avert or minimize these hazards
52. *RITM* refers to the Research Institute of Tropical Medicine
53. *Small businesses* refers to street food vending, *carinderias* and food service providers in public institutions and schools
54. *Wet market* refers to any establishment where fresh, raw agricultural commodity is offered for sale to the consuming public

ARTICLE III CREATION OF A NATIONAL FOOD SAFETY COUNCIL

Section 4. *The National Food Safety Council.* There is hereby established under the Office of the President a National Food Safety Council with the following functions:

1. Promulgate a National Food Safety Program and recommend its adoption to the President
2. Develop interagency mechanisms to implement the Program and food safety laws and policies
3. Oversee the implementation of the National Food Safety Program
4. Coordinate and harmonize interagency and multi-sector efforts in formulating food safety policies
5. Provide assistance in the formulation, amendment of pertinent laws, rules and regulations and propose to Congress necessary and appropriate legislation
6. Conduct review of the National Food Safety Program after 5 years of implementation to measure its effectiveness and obtain guidance to improve policies and implementation

Section 5. *Composition of the National Food Safety Council.* The National Food Safety Council (NFSC) shall be composed of the Secretaries of the following departments or their duly designated undersecretaries: Department of Health, Department of Agriculture, Department of Science & Technology, Department of Education, Department of Interior and Local Government and Department of Trade and Industry and National Commission on Muslim Filipinos. The Council shall be permanently chaired by the Secretary, Department of Health and the Secretaries, DA and DOST as vice-chairs.

Section 6. *Authority of the Council*

1. The Council is hereby authorized to call upon any other agency to assist in the implementation of the Program.

2. The Council is authorized to form committees and technical working groups to assist it in its various functions

Section 7. *Secretariat to the Council.* There is hereby established, the NFSC Secretariat, a division under the Office of the Administrator, Food and Drug Administration, Department of Health. The Secretariat shall comprise of an Executive Director and a minimum of seven technical staff – a medical doctor, a licensed chemist, a licensed veterinarian, a licensed microbiologist, a licensed food technologist, a lawyer, an IT expert and two administrative personnel.

Section 8. *The National Food Safety Program.* The National Food Safety Program is developed to protect public health; and ensure that persons who produce, process, or distribute food meet their responsibility to prevent or minimize food safety hazards related to their products. The program shall be based on a comprehensive analysis of the hazards associated with the growing/producing of different food and with the processing of different food, including the identification and evaluation of:

- (1) The severity of the potential health risks;
- (2) The sources of potentially hazardous contamination or practices extending from the farm or poultry house to the consumer that may increase the risk of food-borne illness;
- (3) The potential for persistence, multiplication, or concentration of naturally occurring or added contaminants in food;
- (4) The potential for hazardous contamination to have cumulative toxic effects, multigenerational effects, or effects on specific categories of consumers;
- (5) Opportunities across the food production, processing, distribution, and retail system to reduce potential health risks; and
- (6) Opportunities for intentional contamination of food or food ingredients.

Section 9. *Features of the National Food Safety Program.* The Program shall have

- (1) A national system for the registration of local and foreign food establishments and food production facilities as provided for in Article V of this Act;
- (2) A national system for regular unannounced inspection of food establishments;
- (3) A municipal-based system of registration for food service providers
- (4) A local system of registration of workers in food establishments;
- (5) A food-borne illness surveillance system
- (6) A resource plan to implement the Program
- (7) A training program for food safety inspectors and food establishment workers
- (8) A recommended set of lessons on food safety for primary and secondary students

The Program shall-

- (1) Require and enforce the adoption of preventive process controls in food establishments, based on the best available scientific and public health considerations and best available technologies;
- (2) Establish and enforce science-based standards for—
 - (A) potentially hazardous substances that may contaminate food; and
 - (B) safety and sanitation in the processing and handling of food;
 - (C) safety of harvested/produced food
- (3) Implement a statistically valid sampling program with the stringency and frequency to independently monitor that industry programs and procedures that prevent food contamination are effective on an ongoing basis and that food meets the standards established under this Act;
- (4) Implement appropriate surveillance procedures and requirements to ensure the safety and security of imported food;

- (5) Coordinate and collaborate with other agencies and local government units in carrying out inspection, enforcement, research, and monitoring;
- (6) implement a national system to identify the food products posing the greatest public health risk and to analyze the effectiveness of existing food safety programs,
- (7) Develop public education, risk communication, and advisory programs;
- (8) To formulate an applied research program for implementation by participating institutions to further the purposes of this Act;
- (9) Coordinate and prioritize food safety research and educational programs with other government agencies and local governments; and
- (10) Provide technical assistance to farmers and food establishments classified as small businesses to assist them with compliance with the requirements of this Act.

ARTICLE IV

ROLE OF GOVERNMENT AGENCIES IN THE NATIONAL FOOD SAFETY PROGRAM

Section 8. In order to keep food safe, the Department of Agriculture shall have the major responsibility of regulating food production facilities and meat establishments as provided for in R.A. No. 9296 and R.A. No. 8385 whereas the Department of Health shall regulate food establishments as provided for in E.O 175, R.A. 3720 and R.A. 9711 as well as set a national standard for food service providers. Local government units are the primary regulators of food service providers.

Section 9. *The Secretary, Department of Health* The Secretary, Department of Health shall

1. As Chair of the National Food Safety Council , spearhead the formulation of a National Food Safety Program,
2. Review, reiterate, amend or add on existing national standards and quality measures to ensure the safety of processed foods both locally produced and imported
3. Establish national standards for the facilities, operation, management , procedures and practices of both local and foreign-based food manufacturing establishments to ensure safety of food products
4. Establish national standards for the facilities, operation, management, procedures and practices of food service establishments to ensure the safety of foods served by the establishment
5. Establish national standards on the packaging and transport of processed foods from points of production to points of distribution and sale.
6. Establish the required health status and standard hygienic practices of workers in the food manufacturing and food service industries
7. Promulgate regulations to ensure the safety and security of the food supply from all forms of contamination, including intentional contamination;
8. Oversee within the Department of Health
 - (A) all activities related to food-borne illness surveillance and investigation of food-borne illness outbreaks in consultation with the Director, Research Institute of Tropical Medicine and the Director, National Epidemiology Center (NEC);
 - (B) implementation of food safety inspection, enforcement, and research efforts to protect the public health in consultation with the Administrator, Food and Drug Administration (FDA);
 - (C) development of consistent and science-based standards for safe food;
9. Coordinate and prioritize food safety research and education programs with other government agencies;

10. Prioritize food safety efforts and deployment of food safety resources to achieve the greatest possible benefit in reducing food-borne illness
11. Coordinate the response to food-borne illness outbreaks with other government agencies and local government units and the integration of food safety activities with local government units
12. Administer and enforce food safety laws of the DOH

Section 10. *Administrator, Food and Drug Administration, Department of Health.* the Administrator, Food and Drug Administration shall have the following functions delegated by the Secretary, DOH:

1. Serve as food safety leader within the DOH and coordinator of all Department activities related to ensuring the safety, quality, and proper labeling of the food supply;
2. Implement the DOH food safety component of the National Food Safety Program
3. Establish a national system of registration of food establishments
4. Establish a national system for regular unannounced inspection of food manufacturing and food service establishments
5. Require and enforce the adoption of preventive process controls in food manufacturing and food service establishments based on the best available scientific and public health considerations and best available technologies

Section 11. *The National Epidemiology Center, Department of Health.* The National Epidemiology Center (NEC) shall spearhead the conduct of surveillance of food-borne illnesses.

Section 12. *The Research Institute of Tropical Medicine, Department of Health* The Research Institute of Tropical Medicine (RITM) shall be the reference laboratory for infectious food borne pathogens. It shall undertake research and development of vaccines for contagious food-borne illnesses.

Section 13. *The Food and Drug Administration, Department of Health.* The Food and Drug Administration (FDA) formerly Bureau of Food and Drug is the main agency that will implement the regulatory functions of the Department of Health as regards food establishments.

- A. The functions of the FDA as provided for in E.O. No. 175, E.O No. 182, R.A 3720 and R.A 9711 shall expand to include the following:
 1. Enforce national standards for the facilities, operation, management , procedures and practices of both local and foreign-based food manufacturing establishments to ensure safety of food products
 2. Enforce national standards for the facilities, operation, management, procedures and practices of food service establishments to ensure the safety of foods served by the establishment
 3. Enforce national standards on the packaging and transport of processed foods from points of production to points of distribution and sale
 4. Enforce the adoption of preventive process controls in food manufacturing and food service establishments based on the best available scientific and public health considerations and best available technologies
 5. Maintain a national registry of food establishments
 6. Ensure and protect the integrity of the kosher label as it is used in food.
 7. Institute a system of accreditation of reliable Jewish entities and rabbis that shall certify foods as kosher.
 8. Monitor the use of the kosher label and ensure that it is honestly used.
 9. Maintain a national registry of food establishments producing kosher food.

10. Maintain a registry of kosher certifying bodies
 11. Maintain a registry of kosher food products
 12. Implement the national system for regular unannounced inspection of food establishments
- B. The expansion of functions of the FDA requires a revision of its organizational structure to provide enough resources. The Center for Food Regulation and Research shall have the following divisions: Food Establishment Evaluation, Enforcement and Review Division, Food Defense and Emergency Response Division, International Affairs Division and Field Inspection Division. New technical positions may be created to strengthen the capacity of the Center to be filled up by licensed food technologists, licensed microbiologists, licensed chemists and at least one IT professional.

Section 14. *The Philippine Food Safety Research Institute (PFSRI), Food and Drug Administration, Department of Health* There is hereby created the Philippine Food Safety Research Institute (PFSRI) equivalent to a regular line bureau of the Department of Health. The PFSRI shall conduct research to carry out this Act.

1. The PFSRI shall be headed by an Executive Director assisted by an Assistant Director. The PFSRI shall have at least five divisions: Food Processing Research Division, Food Production Research Division, Analytical Methods Research Division with three laboratories, Chemistry Laboratory, Microbiology Laboratory and DNA Laboratory, Extension and Public Information Program Division and the Administrative Services Division. Research divisions must be staffed by licensed professionals in food technology, chemistry, microbiology, agriculture and veterinary science except DNA analysts in the DNA Laboratory who may have degrees or majors in molecular biology and biotechnology. The personnel complement shall be at least 10 technical personnel assisted by 1 administrative staff for each technical division and 8 personnel for the Administrative Services Division
2. The PFSRI is hereby authorized to enter into contracts and agreements with any university, government agency, research institution, NGOs, foreign aid agencies or person to help carry out research.

Section 15. *The Secretary, Department of Agriculture.* The Secretary, Department of Agriculture shall:

1. Review, reiterate, amend or add on existing standards and regulations for the production, postharvest handling, and distribution and marketing of fresh agricultural and fishery products, both locally produced and imported to ensure that these protect the health of consumers and facilitate trade.
2. Review, reiterate, amend or add on existing national standards, regulations and codes of practice for the operation and management of abattoirs/slaughter houses, fish ports packing houses, transport systems and other facilities from points of production to points of distribution and sale of agricultural and fishery produce to ensure their safety for human consumption.
3. Promulgate standards and regulations for fresh agricultural and fisheries produce and ensure that regulations ensure the safety and security of agricultural products from all forms of contamination, including intentional contamination and facilitate trade.
4. Oversee within the Department of Agriculture the implementation of the National Food Safety Program including
 - i. all activities related to food-borne pathogen surveillance and investigation of outbreaks of zoonotic diseases implementation of food safety inspection, enforcement, and research efforts of agricultural produce to protect the public health;

- ii. development of consistent and science-based regulations and standards for agricultural produce;
- 5. Coordinate and prioritize food safety testing and research in agricultural produce and education programs with other government agencies;
- 6. Prioritize food safety efforts and deployment of food safety resources to achieve the greatest possible benefit in reducing food-borne illness due to agricultural produce.

Section 16. *The Bureau of Agriculture and Fisheries Product Standards (BAFPS), Department of Agriculture*

- a. Section 62 of the RA 8435 (Agriculture and Fisheries Modernization Act) is hereby revised to read as follows: The Bureau of Agriculture and Fisheries Product Standards shall be the official custodian of all agriculture and fisheries food quality and safety standards and shall initiate and implement the collaborative procedures for the establishment of such standards in cooperation with regulatory agencies, academic and industry experts, farmers groups and other relevant technical personnel and stakeholders. The standards shall include but shall not be limited to standards for product identity and purity, codes of practice, the presence of chemical contaminants in animal and plant food products, of pathogens in meat, meat products and vegetables, health condition of animals prior to slaughter, hygienic standards for food production facilities, heavy metal and other environmental contaminants in fresh produce, fertilizers and lands for cultivation, pesticide residue levels in agricultural commodity in cooperation with the Fertilizer and Pesticide Authority and other hazards identified by the Council.
- b. The BAFPS shall monitor the applicability of standards to food safety control and trade and the implementation of food safety standards for agricultural produce as implemented by the NMIS, BPI and FPA and submit to the Secretary the results of monitoring and corresponding recommendations.

Section 17. *National Meat Inspection Service, Department of Agriculture* The National Meat Inspection Service (NMIS) shall be duly strengthened to efficiently implement its regulatory enforcement functions to ensure the safety of meat and meat products for human consumption as provided for in R.A. No. 9296.

Section 18. *Bureau of Plant Industry, Department of Agriculture* The Bureau of Plant Industry is hereby mandated to regulate all agricultural produce derived from plants to ensure food safety and biosafety. A new division, Biosafety and Food Safety Division, is hereby created within the Bureau of Plant Industry (BPI) to assist the Director in implementing all biosafety and food safety policies for crops. The division shall be headed by a Division chief reporting directly to the Director, BPI. The division may consist of at least 3 sections and shall be manned by 18 licensed technical personnel with specializations in either agriculture, food technology, microbiology and chemistry and two administrative personnel. The facilities and personnel of the Pesticide Residue Analysis Laboratory is hereby transferred to this division. The powers of the BPI in relation to this function shall include the following:

- a. Implement all biosafety policies on agricultural produce derived from plants including DA AO No. 8 Ser 2002 and subsequent issuances
- b. Ensure the safety of plant foods for human consumption by ensuring compliance with minimum residue levels for pesticides, complying with relevant measures by monitoring levels of pesticide residues, pathogens and promulgate the relevant standards for pesticide residues, and implement food safety policies on agricultural produce derived from plants

Section 19. *Fertilizer and Pesticide Authority.* The Fertilizer and Pesticide Authority (FPA) shall include in its standard assessment of hazards the presence and tolerable levels of pathogens and heavy metals in fertilizers, and together with the Department of Health develop the tolerance levels for pesticides, pathogens and heavy metals in food and agricultural produce.

Section 20. *National Commission on Muslim Filipinos* The National Commission on Muslim Filipinos formerly the Office of Muslim Affairs (OMA) in consonance with its mandated function given in Section 8h R.A 9997 shall be responsible in ensuring and protecting the integrity of the *halal* label as it is used in food. It shall develop guidelines to ensure that foods certified *halal* maintain their purity and are not subject to contamination. It shall institute a system of accreditation of reliable Islamic entities and scholars that shall certify foods as *halal* and shall assist these entities in obtaining international recognition through technical assistance, education and training. It shall monitor the use of the *halal* label and ensure that it is honestly used. The Commission shall maintain a national registry of food establishments producing halal food, a registry of certifying bodies and a registry of halal food products.

Section 21. *Department of Environment and Natural Resources* The Department of Environment and Natural Resources shall be responsible for decontaminating polluted lands and attesting their suitability for food production. It shall be responsible in monitoring wildlife (plants and animals) used as food and coordinate with the Department of Health in assessing the presence and prevalence of pathogens borne by wildlife.

Section 22. *Department of Science and Technology.* The Department of Science and Technology shall include as priority area of research on food safety including identification of new food-borne pathogens, developing new rapid, efficient methods and tools of identifying pathogens, cost-efficient methods of control, surveillance techniques and the like. It shall continue to strengthen all its regional analytical service laboratories to provide microbiological and chemical analytical services for the public and reference its testing activities against national reference laboratories and/or ensure that its testing programs meet international protocols for the quality control of laboratories and testing methods. As the custodian of the national standard for weights and measures, it shall be responsible for providing needed calibration services for the equipment of food safety testing laboratories.