

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Diliman, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5701



Introduced By: HON. TEDDY BRAWNER BAGUILAT

EXPLANATORY NOTE

More than two decades have passed since genetically-modified plants, animals and processed products (GMOs) were introduced in the global market. And, in the same period, the Philippines have openly allowed the entry of these GMO products in our markets.

From meats to vegetables, we have been unknowingly (and to some unwillingly) using and ingesting these GMO products. For even as the global recognition and scientific evidence of the risks to health and the environment has been mounting, we still have not responded to the steady infiltration of these products.

In light of this, I am filing this bill to recognize and give life to the Constitutional Right of every Filipino to be protected by the State in regard to their health and be instilled with health consciousness,¹ to have and maintain a balanced and healthful ecology,² to be informed³ and to be educated about the food that they eat, as well as to ensure the maintenance of an effective food regulatory system.⁴

Accordingly, given the importance provided above this bill is most respectfully submitted and requested for early approval.


TEDDY BRAWNER BAGUILAT

¹ Sec. 15, Article II, 1987 Philippine Constitution

² Sec. 16, Article II, 1987 Philippine Constitution

³ Sec. 24, Article II, 1987 Philippine Constitution

⁴ Sec. 12, Article XIII, 1987 Philippine Constitution

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**AN ACT REQUIRING THE MANDATORY LABELING OF
FOOD ORGANISMS, INCLUDING THOSE PRODUCED
BY GENETIC ENGINEERING TECHNOLOGIES**

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

Section 1. Declaration of Policy - It is hereby declared that it is a policy of the State that every Filipino has a right to be protected in regard to their health and to be instilled with health consciousness, to have a balanced and healthful ecology, and to be informed and educated.

The State shall ensure that it will provide the Filipino people safe and healthy food and food products that will not potentially put their health at risk and place the environment in peril due to the entry of GMO products in our markets and households.

Section 2. Mandatory Labeling of Food and Food Products Containing Genetically Modified Organisms - It is hereby declared that food and food products containing genetically-modified organisms, including those produced by genetic engineering technologies shall be labeled in accordance with the provisions of this Act and the existing regulations issued by the concerned department.

Section 3. Minimum Labeling Requirements - Article Seventy-Seven (77) of Republic Act Seven Thousand Three Hundred Ninety Four (RA7394), otherwise known as the Consumers' Act of the Philippines is hereby amended to contain the following provision:

**Art. 77. Minimum Labeling Requirements
for Consumer Products -**

All consumer products domestically sold whether manufactured locally or imported shall indicate the following in their respective labels of packaging:

- a) XXXXXXXX
- b) XXXXXXXX
- c) XXXXXXXX
- d) XXXXXXXX
- e) Its general make or active ingredients,
INDICATING PARTICULARLY WHETHER IT
CONTAINS GENETICALLY-MODIFIED ORGANISMS
OR IS A PRODUCT OF GENETIC ENGINEERING
TECHNOLOGIES;
- f) XXXXXXXX
- g) XXXXXXXX
- h) XXXXXXXX

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

- a) XXXXXXXX
- b) XXXXXXXX
- c) Warning of toxicity AND POTENTIAL
ALLERGENICITY ESPECIALLY IF IT CONTAINS
GENETICALLY-MODIFIED ORGANISMS OR IS A
PRODUCT OF GENETIC ENGINEERING
TECHNOLOGIES;
- d) XXXXXXXX
- e) XXXXXXXX

Section 4. Additional Labeling Requirements - Article Eighty Four (84) of Republic Act Seven Thousand Three Hundred Ninety Four (RA 7394), otherwise known as the Consumers' Act of the Philippines is hereby amended to contain the following provision:

Art. 84. The concerned department for food and FOOD PRODUCTS shall impose additional labeling requirements;

a) XXXXXXXXXX

b) Whether the consumer product is NATURAL OR UNPROCESSED, WITH GENETICALLY MODIFIED ORGANISMS OR PROCESSED USING GENETIC ENGINEERING TECHNOLOGIES, semi-processed, fully processed, ready-to-cook, ready-to-eat, prepared food or just plain mixture.

c) xxxxxxxxxxxx

Section 5. Additional Duties of the Food and Drug Administration - Section Four (4) of Republic Act Three Thousand Seven Hundred Twenty (RA 3720), otherwise known as the Food, Drug, and Cosmetic Act is hereby amended to contain the following provision:

Section 4.

"(f) XXXXXX

(g) TO CLASSIFY GENETICALLY MODIFIED ORGANISM PRODUCTS INCLUDING THOSE PRODUCED BY GENETIC ENGINEERING TECHNOLOGIES IN COMPLIANCE WITH THE PROVISIONS OF THIS ACT.

(h) To certify batches of anti-biotic and anti-biotic preparations in compliance with the provisions of this Act.

Section 6. Additional Definition - Section Ten (10) of Republic Act Three Thousand Seven Hundred Twenty (RA 3720), otherwise known as the Food, Drug, and Cosmetic Act is hereby amended to contain the following provision:

"(i) "GENETICALLY MODIFIED ORGANISM (GMO) MEANS AN ORGANISM WHOSE GENETIC CHARACTERISTICS HAVE BEEN ALTERED BY THE INSERTION OF A MODIFIED GENE OR A GENE

FROM ANOTHER ORGANISM USING THE TECHNIQUES OF GENETIC ENGINEERING.

(j) "Label" means a display of written, printed, or graphic matter upon the immediate container of any article and a requirement made by or under authority of this Act that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if any there be, of the retail package of such article, or is easily legible through the outside container or wrapper.

Section 7. Misbranded Food - Section 15 (section 15) of Republic Act Three Thousand Seven Hundred Twenty (RA 3720), otherwise known as the Food, Drug, and Cosmetic Act is hereby amended to contain the following provision:

Section 15 Misbranded Food - A food shall be deemed misbranded:

a) XXXXXXXXXXXX

b) XXXXXXXXXXXX

c) If it is an imitation of another food, unless its label bears in types of uniform size and prominence, the word "imitation" and immediately thereafter, the name of the food imitated AND IF IT PURPORTS OR CLAIMS TO BE A NATURALLY-GROWN FRESH FOOD OR FOOD PRODUCT WHEN IT IS IN FACT CONTAINING GENETICALLY MODIFIED ORGANISMS OR IS A PRODUCT OF GENETIC ENGINEERING TECHNOLOGIES;

d) XXXXXXXXXXXX

e) If in a package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, distributor: and (2) an accurate statement of the quantity of the contents in terms of weight, measure, numerical count: Provided, that the under clause (2) of this paragraph reasonable variations shall be permitted, and exemption as to small packages shall be established, by regulation prescribed by the secretary BUT NOT IN THE CASE OF FOOD OR FOOD PRODUCTS CONTAINING GENETICALLY-MODIFIED ORGANISMS OR

THOSE PRODUCED FROM THE GENETIC
ENGINEERING TECHNOLOGIES:

XXXXXXXXXX

XXXXXXXXXX

XXXXXXXXXX

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XXXXXXXXXX

L) IF IT BEARS OR CONTAINS ANY GENETICALLY
MODIFIED ORGANISM OR IS PRODUCED FROM
GENETIC ENGINEERING TECHNOLOGIES, UNLESS
IT BEARS LABELING STATING THAT FACT.

**Section 8. Additional Duties of the National Consumer Affairs
Council** - Article One Hundred Fifty-Three (153) of Republic Act Seven
Thousand Three Hundred Ninety Four (RA7394), otherwise known as the
Consumers' Act of the Philippines Is hereby amended to contain the following
provision:

ARTICLE 153. Powers And Functions- The Council
shall have the following powers and functions:

- a) xxxxxx;
- b) xxxxxx;
- c) xxxxxx;
- d) xxxxxx;
- e) to undertake a continuing education and
information campaign to provide the consumer with,
among others:
 - 1) xxxxxx;
 - 2) xxxxxx;
 - 3) xxxxxx;
 - 4) xxxxxx;

5) KNOWLEDGE ABOUT GENETIC MODIFICATION OF FOODS AND OTHER PRODUCTS AS WELL AS THE NATURE AND EXTENT OF GENETIC ENGINEERING INCLUDING THE BENEFITS AND DETRIMENTS THAT IT MAY CAUSE.

6) xxxxxx;

Section 9. Inapplicability of Regulations-Making Exemptions -

Due to the urgent and extreme public necessity of this Act and the need to keep the public adequately informed and to preserve the right of consumers to choose. The power of the Secretary to make exemptions to the regulation as specified in the Consumer Act of the Philippines and the Food, Drug and Cosmetic Act is hereby rendered inapplicable unless it can be shown that public order, public health and public safety are not in jeopardy with its actual application and implementation

Section 10. Penalties - Any person who shall violate any provision of this Act or its implementing rules and regulations shall upon conviction be subject to a fine of not less than Two Hundred Thousand (200,000) Pesos and imprisonment ranging from Six Years and One day to Twelve Years or both, at the discretion court.

In case of judicial persons, the penalty shall be imprisoned upon its President, Manager or Head. If the offender is an alien, he shall, after payment of fine and serving his term of conviction is deported without need of any other proceedings.

Section 11. Implementing Rules and Regulations - The Secretary of the Department of Health, Department of Agriculture and the Food and Drug Administration in consultation with the concerned business and industry representatives, government agencies, civil society organizations, shall promulgate the necessary regulation for the effective implementation of this Act.

Section 12. Separability Clause- If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected hereby.

Section 13. Effectivity Clause - This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in a newspaper of general circulation.

Approved.