



REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Manila

FIFTEENTH CONGRESS
THIRD REGULAR SESSION



COMMITTEE REPORT NO. 2338

Submitted by the Committee on Health on 15 AUG 2012

Re : House Bill No. 6471

Recommending its approval in substitution of House Bill Nos. 3428, 3972 & 4417

Sponsors : Reps. Alfredo D. Marañon III, Rufus B. Rodriguez, Maximo B. Rodriguez,
Angelo B. Palmones, Mark Llandro L. Mendoza, Irvin M. Alcala & Sharon S.
Garin

Mr. Speaker:

The Committee on Health to which were referred House Bill No. 3428 introduced by
Reps. Rufus B. Rodriguez, entitled:

"AN ACT
TO ESTABLISH A COMPREHENSIVE PROGRAM TO ENSURE THE
SAFETY OF FOOD PRODUCTS INTENDED FOR HUMAN
CONSUMPTION"

House Bill No. 3972, introduced by Rep. Angelo Palmones, entitled:

"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"
and,

House Bill No. 4417, introduced by Rep. Mark Llandro L. Mendoza, entitled

"AN ACT
TO STRENGTHEN THE FOOD SAFETY REGULATORY SYSTEM IN THE
COUNTRY TO PROTECT CONSUMER HEALTH AND FACILITATE
MARKET ACCESS OF LOCAL FOODS AND FOOD PRODUCTS, AND
FOR OTHER PURPOSES"

has considered the same and recommends that the attached House Bill No. 6474, entitled:

**"AN ACT
TO STRENGTHEN THE FOOD SAFETY REGULATORY SYSTEM IN THE
COUNTRY TO PROTECT CONSUMER HEALTH AND FACILITATE
MARKET ACCESS OF LOCAL FOODS AND FOOD PRODUCTS, AND
FOR OTHER PURPOSES"**

be approved in substitution of House Bill Nos. 3428, 3972 and 4417 with Reps. Rufus B. Rodriguez, Maximo B. Rodriguez, Angelo Palmones, Mark Llandro L. Mendoza, Irvin M. Alcala, Danilo E. Suarez, and Sharon S. Garin as authors thereof.

Respectfully submitted,


HON. ALFREDO D. MARAÑON
Chairman
Committee on Health

THE HONORABLE SPEAKER
House of Representatives
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES

Fifteenth Congress
Third Regular Session

HOUSE BILL NO. 6474

AN ACT
TO STRENGTHEN THE FOOD SAFETY REGULATORY SYSTEM IN THE
COUNTRY TO PROTECT CONSUMER HEALTH AND FACILITATE
MARKET ACCESS OF LOCAL FOODS AND FOOD PRODUCTS, AND FOR
OTHER PURPOSES

Introduced by Reps. Rufus B. Rodriguez, Maximo B. Rodriguez, Angelo
Palmones, Mark Llandro L. Mendoza, Irvin M. Alcala, Danilo E. Suarez,
and Sharon S. Garin

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

ARTICLE I
Declaration of Policy and Objectives

1 **SECTION 1.** *Short Title.* - This Act shall be known as the "Food Safety Act of
2 2012."

3
4 **SEC. 2.** *Declaration of Policy.* - Section 15, Article II of the 1987 Philippine
5 Constitution declares that the State shall protect and promote the right to
6 health of the people and instill health consciousness among them.
7 Furthermore, Section 9, Article XVI provides that the State shall protect
8 consumers from trade malpractices and from substandard or hazardous
9 products. Towards these ends, the State shall maintain a farm to fork food
10 safety regulatory system that ensures a high level of food safety, promotes
11 fair trade and advances the global competitiveness of Philippine foods and
12 food products.

13
14 **SEC. 3.** *Objectives.* -To strengthen the food safety regulatory system in the
15 country, the State shall adopt the following specific objectives:

- 16
17 a. protect the public from food-borne and water-borne illnesses and
18 unsanitary, unwholesome, misbranded or adulterated foods;
19 b. enhance industry and consumer confidence in the food regulatory
20 system; and
21 c. achieve economic growth and development by promoting fair trade
22 practices and sound regulatory foundation for domestic and
23 international trade.
24

1 Towards the attainment of these objectives, the following measures shall be
2 implemented:

- 3
- 4 (a) delineate and link the mandates and responsibilities of the government
5 agencies involved;
- 6 (b) provide a mechanism for coordination and accountability in the
7 implementation of regulatory functions;
- 8 (c) establish policies and programs for addressing food safety hazards and
9 developing appropriate standards and control measures;
- 10 (d) strengthen the scientific basis of the regulatory system; and
- 11 (e) upgrade the capability of farmers, fisherfolk, industries, consumers and
12 government personnel in ensuring food safety.
- 13

14 ARTICLE II

15 Definition of Terms

- 16

17 **SEC. 4. Definition of Terms.** - For purposes of this Act, the following terms
18 shall be defined as follows:

- 19

- 20 (a) **Advertising** refers to the business of conceptualizing, presenting or
21 making available to the public, through any form of mass media, fact, data or
22 information about the attributes, features, quality or availability of food and its
23 related products for the purpose of promoting its sale or distribution;
- 24
- 25 (b) **Adulteration** refers to an intentional act which leads to the production of
26 food which:
 - 27 1. bears or contains any poisonous or deleterious substance that may
28 render it injurious to the health of the public;
 - 29 2. bears or contains any added poisonous or deleterious substance in
30 amounts exceeding established maximum limits or standards for Good
31 Manufacturing Practice;
 - 32 3. contains in whole or in part filthy, putrid or decomposed substance that
33 is unfit for human consumption;
 - 34 4. has been prepared, packed or held under unsanitary conditions;
 - 35 5. in whole or in part, is the product of a diseased animal or an animal
36 which has died through ways other than slaughter;
 - 37 6. is in a container having in whole or in part any poisonous or deleterious
38 substance;
 - 39 7. has been intentionally subjected to radiation unless the use of radiation
40 is in conformity with an existing regulation or exemption;
 - 41 8. becomes injurious to health because of the omission or abstraction of a
42 valuable constituent; or if any substance has been substituted wholly or
43 in part; or if damaged or made inferior which has been concealed in
44 any manner; or if any substance has been added thereto or mixed or
45 packed therewith so as to increase its bulk or weight or reduce its
46 strength or to make it appear better or greater than it is;
 - 47 9. has not been prepared in accordance with current acceptable
48 manufacturing practice as promulgated by way of regulation; and
 - 49 10. uses expired ingredients;

1 (c) **Authorization** refers to the permission embodied in a document granted
2 by a regulatory agency to a natural or juridical person who has submitted an
3 application for a food business operation from primary production, post
4 harvest handling, distribution, processing, manufacture, importation,
5 exportation, sale, and offer for sale, distribution, transfer and preparation for
6 human consumption. The authorization can take the form of a permit, license,
7 certificate of registration and certificate of compliance or exemption or any
8 similar document;

9
10 (d) **Contaminant** refers to any substance not intentionally added to food
11 which is present in such food as a result of the production (including
12 operations carried out in crop industry, animal husbandry and veterinary
13 medicine) manufacturing, processing, preparation, treatment, packing,
14 packaging, transport or holding of such food as a result of environmental
15 contamination;

16
17 (e) **Control Measure** refers to any action and activity that can be used to
18 prevent or eliminate food safety hazard or to reduce it to an acceptable level;

19
20 (f) **Crisis Management** refers to a proactive approach of addressing a
21 situation, where a risk to consumers, animal or plant health cannot be
22 controlled by normal existing mechanisms, through a plan which can be
23 activated when such emergency arises;

24
25 (g) **Food** refers to any substance or product whether processed, partially
26 processed or unprocessed that is intended for human consumption. It
27 includes drinks, chewing gum, water and other substances which are
28 intentionally incorporated into the food during its manufacture, preparation
29 and treatment;

30
31 (h) **Feed** refers to any substance or product, including additives, intended to
32 be used for oral feeding to animals;

33
34 (i) **Food-borne illnesses** refer to diseases, usually either infectious or toxic
35 in nature, caused by agents that enter the body through the ingestion of food;

36
37 (j) **Food Business** refers to any undertaking, whether public or private, that
38 carries out, any of the activities related to, or any of the stages of the food
39 supply chain;

40
41 (k) **Food Business Operator** refers to a person engaged in the food
42 business including one's agents and is responsible for ensuring that the
43 requirements of this Act are met by the food business under one's control;

44
45 (l) **Food Hygiene** (hereinafter referred to as Hygiene) refers to the measures
46 and conditions necessary to control hazards that could lead to food-borne
47 illnesses and to ensure fitness for human consumption of a food of plant or
48 animal origin taking into account its intended use;

(m) **Food Law** refers to the laws, regulations and administrative provisions governing food in general, donated food and food safety at any stage of production, processing, distribution and preparation for human consumption;

(n) **Food Safety** refers to the assurance that food will not cause harm to the consumer when it is prepared or eaten according to its intended use;

(o) **Food Safety Regulatory Agencies (FSRAs)** refer to the following national government agencies:

Under the Department of Agriculture (DA) - the Bureau of Animal Industry, National Meat Inspection Service, Bureau of Fisheries and Aquatic Resources, Bureau of Plant Industry, Fertilizer and Pesticide Authority, Philippine Coconut Authority, Sugar Regulatory Administration and the National Food Authority ;

Under the Department of Health (DOH) - the Food and Drug Administration, Center for Food Regulation and Research and the Bureau of Quarantine;

(p) **Food Safety Officer** refers to a professionally qualified and properly trained officer appointed by a food safety regulatory agency or by Local Government Units (LGUs) in accordance with the appropriate Civil Service rules and regulations;

(q) **Food Safety Regulatory System** refers to the combination of regulations, food safety standards, inspection, testing, data collection, monitoring and other activities carried out by food safety regulatory agencies and by the LGUs in the implementation of their responsibilities for the control of food safety risks in the food supply chain;

(r) **Food Supply Chain** refers to all stages in the production of food from primary production, post harvest handling, distribution, processing and preparation for human consumption. Preparation is the cooking or other treatments to which food is subjected prior to its consumption.

(s) **Good Agricultural Practices (GAP)** refer to the practices that address environmental, economic, and social sustainability for on-farm processes, and which result in safe and quality food and non-food agricultural products.

(t) **Good Manufacturing Practices** refer to a quality assurance system aimed at ensuring that products are consistently manufactured, packed, repacked, or held to quality standards appropriate for the intended use. It is thus concerned with both manufacturing and quality control procedure;

(u) **Good Hygienic Practices** refer to all practices regarding the conditions and measures necessary to ensure the safety and suitability of food at all stages of the food chain;

(v) **Hazard Analyses at Critical Control Points (HACCP)** refer to a science-based system which identifies, evaluates, and controls hazards which are

1 significant for food safety at critical points during a given stage in the food
2 supply chain;

3
4 (w) **Hazard** refers to a biological, chemical or physical agent in food with a
5 potential to cause adverse effect on health;

6
7 (x) **Inspection** refers to the examination of food, food production facilities or
8 establishments, and the management and production systems of food
9 businesses, including the examination of documents, finished product testing
10 and of the origin and destination of production inputs and outputs to verify
11 compliance with legal requirements by an agency mandated to perform food
12 safety regulatory and/ or enforcement functions;

13
14 (y) **Label** refers to the display of written, printed or graphic matter upon the
15 immediate container, tag, literature or other suitable material affixed thereto
16 for the purpose of giving information as to identify components, ingredients,
17 attributes, directions for use, specifications and such other information as may
18 be required by law or regulations.

19
20 (z) **Micro, small and medium enterprise (MSME)** refers to food businesses
21 as defined within the classification of industries by the Department of Trade
22 and Industry;

23
24 (aa) **Misbranding** refers to deliberate labelling or advertising of food that is
25 misleading, where the labelling and/or advertising claims certain food
26 properties that cannot be supported by a reliable source, a certifying body or
27 by scientific evidence;

28
29 (bb) **Official Control** refers to all types of controls and control activities made
30 by regulatory agencies to verify compliance with standards, operating
31 procedures, practices and other regulatory requirements. It includes routine
32 monitoring of food establishments and more intensive checks involving
33 inspections, verifications, audits, sampling and testing of samples;

34
35 (cc) **Post harvest stages** refer to the stages in the food supply chain
36 involving the minimal transformation of plant and animal foods after primary
37 production such as removal of field heat for fruits, slaughter of animals,
38 sorting, grading and cutting of fresh plant and animal foods, icing and
39 freezing, and the milling of grain;

40
41 (dd) **Primary production** refers to the production, rearing or growing of
42 primary products including harvesting, milking and farmed animal production
43 up to slaughter; and the rearing and growing of fish and other seafood in
44 aquaculture ponds. It also includes fishing, and the hunting and catching of
45 wild products;

46 (ee) **Processing** refers to any action that substantially alters the initial raw
47 materials or product or ingredients including, but not limited to, heating,
48 smoking, curing, maturing, drying, marinating, extraction, extrusion and a
49 combination of those processes intended to produce food;

(ff) **Risk** refers to the likelihood of an adverse health effect and the severity of this effect following exposure to a hazard;

(gg) **Risk Analysis** refers to a process consisting of three interrelated components: risk assessment, risk management and risk communication;

(hh) **Risk Assessment** refers to the scientific evaluation of known or potential adverse health effects resulting from human exposure to biological, chemical and physical hazards;

(ii) **Risk Management** refers to the process of weighing policy alternatives to accept, minimize or reduce assessed risks and if necessary, to select and implement appropriate prevention and control measures;

(jj) **Risk Communication** refers to the interactive exchange of information and opinions during the course of risk analysis on the hazards and risks among risk assessors, risk managers, consumers, food and feed business operators, academia and other stakeholders;

(kk) **Food Safety Standards** refer to the formal documents containing the requirements that foods or food processors have to comply with to safeguard human health. They are implemented by authorities and enforced by law; and are usually developed and published under the auspices of a national standards body;

(ll) **Traceability** refers to the ability to follow the movement of a food through specified stages of production, processing, and distribution; and

(mm) **Monitoring** refers to the systematic gathering of data through the sampling of commodities as well as monitoring of food borne diseases, collation and interpretation of collected data.

ARTICLE III

Basic Principles of Food Safety

SEC.5. Food Safety Requirements. - To ensure food safety, the following general guidelines shall be observed:

(a) In determining whether food is unsafe, the following shall be considered:

1. The normal conditions of the use of food by the consumer;
2. The normal conditions maintained at each stage of production, processing, handling, storage and distribution;
3. The health of plants and animals from where the food is derived;
4. The effect of feeds, crop protection chemicals and other production inputs on otherwise healthy plants and animals; and
5. The information provided to the consumer. This includes the information provided on the label or any information generally available to the

consumer. This should aid consumers in avoiding specific health effects from a particular food or category of foods.

(b) In determining whether food is injurious to health, regard shall be given to the following:

1. The probable immediate, short term or long term effects on subsequent generations of that food on health;
2. The probable cumulative effects; and
3. The particular health sensitivities of a specific category of consumers where the food is intended for that category

(c) In determining whether food is unfit for human consumption, regard shall be given to the unacceptability of the food according to its intended use due to contamination by extraneous matter or through putrefaction, deterioration or decay;

(d) Where unsafe food is part of a batch, lot or consignment of food of the same class or description, it shall be presumed that all food in that batch, lot or consignment is also unsafe;

(e) Food that complies with specific national law or regulations governing food safety shall be deemed safe insofar as the aspects covered by national law and regulations are concerned. However, imported food that is declared unsafe by the competent authority of the exporting country after entry into the country shall be withdrawn from the market and distribution channels; and

(f) Compliance of a food product with specific standards applicable to a specific food shall not prohibit the competent authorities to take appropriate measures or to impose restrictions on entry into the market or to require its withdrawal from the market, where there is reason to suspect that such food product shows food safety related risks.

ARTICLE IV General Principles

SEC. 6. Food Law Objectives. - Food law shall aim for a high level of protection of human life and health in the production and consumption of food. It shall also aim for the protection of consumer interests through fair practices in the food trade.

SEC. 7. Use of Science-based Risk Analysis. - The following shall guide the use of science and risk analysis in food safety regulation:

(a) The development of food safety legislation and standards and the conduct of inspection and other official control activities shall be based on the analysis of risk, except where this approach is not feasible due to circumstances, or due to the nature of the control measure;

(b) Risk assessment shall be based on sound scientific evidence and shall be undertaken in an independent, objective and transparent manner. Scientific

1 information as obtained from scientific literature, epidemiological and
2 monitoring studies and other data that supports the risk assessment shall be
3 used;

4
5 (c) Risk management shall take into account the results of risk assessment
6 relevant to local conditions, potential for enforcement, cost of compliance and
7 others as may be relevant to the situation;

8
9 (d) Risk communication shall be carried out between risk assessors and risk
10 managers in a transparent manner. Food safety risks shall also be
11 communicated to farmers, fisher folk and food business operators to
12 encourage compliance with the implementation of control measures and to
13 relevant sectors of society affected by the law or the risks addressed in order
14 to strengthen confidence in its provisions; and

15
16 (e) Food business operators shall be encouraged to implement a HACCP –
17 based system for food safety assurance in their operations

18
19 **SEC. 8. *Protection of Consumer Interests.*** – The protection of consumer
20 interest shall be geared towards the following:

21
22 (a) Prevention of adulteration, misbranding, fraudulent practices, and other
23 practices which mislead the consumer; and

24
25 (b) Prevention of misrepresentation in the labelling and false advertising in the
26 presentation of food, including their shape, appearance or packaging, the
27 packaging materials used, the manner in which they are arranged, the setting
28 in which they are displayed, and the product description including the
29 information which is made available about them through whatever medium.
30 Where relevant, the presentation of goods shall provide consumers a basis to
31 make informed choices in relation to the food they purchase.

32
33 **SEC. 9. *Setting of Food Safety Standards.*** – The DA and DOH shall set the
34 mandatory food safety standards. The following shall guide the setting of
35 standards:

36
37 (a) Standards shall be established on the basis of science, risk analysis,
38 scientific advice from expert body/bodies, standards of other countries,
39 existing Philippine National Standards (PNS) and the standards of the Codex
40 Alimentarius Commission (Codex), where these exist and are applicable;

41
42 (b) Codex standards shall be adopted except when these are in conflict with
43 what is necessary to protect consumers and scientific justification exists for
44 the action taken;

45 (c) The DA and the DOH shall establish the policies and procedures for
46 country participation at Codex and the incorporation of Codex standards into
47 national regulations. The current National Codex Organization (NCO) is
48 herein designated as the Body to serve this purpose. The DA and the DOH

1 shall designate a third level officer as coordinator for Codex activities for their
2 respective departments; and

3
4 (d) Participation at Codex shall be in accordance with the principles of this
5 Act and shall be financially supported by the government.

6
7 **SEC. 10. *Precaution.*** - In specific circumstances when the available relevant
8 information for use in risk assessment is insufficient to show that a certain
9 type of food or food product does not pose a risk to consumer health,
10 precautionary measures shall be adopted. When such precautionary
11 measures are issued, the following rules shall govern:

12
13 (a) The adopted measure shall remain enforced pending the submission of
14 additional scientific information based on the nature of the risk and type of
15 information needed to clarify the scientific uncertainty; and

16
17 (b) The measure shall be no more restrictive to trade than required and
18 should be proportionate to the level of protection required for consumers.

19
20 **SEC. 11. *Transparency.*** - The implementing agencies shall conduct public
21 consultation and disseminate relevant information to ensure the following:

22
23 (a) Public consultation during the preparation, evaluation and revision of food
24 legislation shall be open, transparent and direct or through representative
25 bodies unless the urgency of the problem does not allow it; and

26
27 (b) In cases where it is suspected that food may pose a risk to human health,
28 regulatory authorities shall take appropriate steps to inform the general public
29 about the nature of the risk to health, the affected foods, types of food and
30 the necessary measures to prevent, reduce or eliminate the risk.

31
32 **SEC. 12. *Application to Trade.*** - Foods imported, produced, processed and
33 distributed for domestic and export markets shall comply with the following
34 requirements:

35
36 (a) Food to be imported into the country must come from countries with an
37 equivalent food safety regulatory system and shall comply with international
38 agreements to which the Philippines is a party;

39
40 (b) Imported foods shall undergo cargo inspection and clearance procedures
41 by the DA and the DOH at the first port of entry to determine compliance with
42 national regulations. This inspection by the DA and the DOH shall always take
43 place prior to assessment for tariff and other charges by the Bureau of
44 Customs (BOC). The BOC and the Association of International Shipping Lines
45 (AISL) shall provide the DA and DOH documents such as the Inward Foreign
46 Manifest of Arriving Vessels to enable the DA and DOH to identify shipments
47 requiring food safety inspection. Shipments not complying with national
48 regulations shall be disposed according to policies established by the DA and
49 the DOH; and

(c) Exported foods shall at all times comply with national regulations and regulations of the importing country. Returned shipments shall undergo border inspection clearance as provided in Section 12 (b) hereof.

ARTICLE V

Responsibilities on Food Safety

SEC. 13. *Principal Responsibility of Food Business Operators.* - Food business operators shall ensure that food satisfies the requirements of food law relevant to their activities in the food supply chain and that control systems are in place to prevent, eliminate or reduce risks to consumers.

SEC. 14. *Specific Responsibilities of Food Business Operators.* - Food business operators shall have the following responsibilities under this Act:

(a) Food business operators shall be knowledgeable of the specific requirements of food law relevant to their activities in the food supply chain and the procedures adopted by relevant government agencies that implement the law. They shall adopt, apply and be well informed of codes and principles for good practices. Micro and small industries shall be assisted to facilitate their adoption of such practices;

(b) If a food business operator considers or has reason to believe that a food which it produced, processed, distributed or imported is not safe or not in compliance with food safety requirements, it shall immediately initiate procedures to withdraw the food in question from the market and inform the regulatory authority;

(c) Food business operators shall allow inspection of their businesses and collaborate with the regulatory authorities on action taken to avoid risks posed by the food product/s which they have supplied; and

(d) Where the unsafe or non-compliant food product may have reached the consumer, the operator shall effectively and accurately inform the consumers of the reason for the withdrawal, and if necessary, recall the same from the market.

SEC. 15. *Principal Responsibilities of Government Agencies.* - The DA, DOH, DiLG and LGUs shall have the following responsibilities.

(a) The DA shall be responsible for food safety in the primary production and post harvest stages of food supply chain and foods locally produced or imported in this category;

(b) The DOH shall be responsible for the safety of processed and pre-packaged foods, foods locally produced or imported under this category and the conduct of monitoring and epidemiological studies on food – borne illnesses;

(c) The LGUs shall be responsible for food safety in food businesses such as, but not limited to, activities in slaughterhouses, dressing plants, fish ports, wet

1 markets, supermarkets, school canteens, restaurants, catering establishments
2 and water refilling stations. The LGU shall also be responsible for street food
3 sale, including ambulant vending;

4
5 (d) The Department of the Interior and Local Government (DILG), in
6 collaboration with the DA, DOH and other government agencies shall
7 supervise the enforcement of food safety and sanitary rules and regulations
8 as well as the inspection and compliance of business establishments and
9 facilities within its territorial jurisdiction;

10
11 (e) The LGUs may be called upon by the DOH and the DA to assist in the
12 implementation of food laws, other relevant regulations and those that will
13 hereafter be issued.

14
15 (f) The DA and the DOH shall capacitate the LGUs and provide necessary
16 technical assistance in the implementation of their food safety functions under
17 their jurisdiction. In compliance with this responsibility they shall provide
18 training to the DILG and LGUs and shall periodically assess the effectiveness
19 of these training programs in coordination with the DILG;

20
21 (g) The DA and DOH, in cooperation with the LGUs, shall monitor the
22 presence of biological, chemical, physical contaminants in food to determine
23 the nature and sources of food safety hazards in the food supply chain

24
25 **SEC. 16. *Specific Responsibilities of the Department of Agriculture.*** – The DA
26 shall be responsible for the development and enforcement of food safety
27 standards and regulations for foods in the primary production and post
28 harvest stages of the food supply chain. It shall monitor and ensure that the
29 relevant requirements of the law are complied with by farmers, fisherfolks and
30 food business operators. Pursuant thereto, the DA Secretary shall ensure that
31 the food safety regulatory mandates and functions for fresh plant, animal,
32 fisheries and aquaculture foods of the DA agencies are clearly defined. The
33 agencies under the DA with food safety regulatory functions are the following

34
35 (a) Bureau of Animal Industry (BAI), for food derived from animals including
36 eggs and honey production;

37
38 (b) National Dairy Authority (NDA), for milk production and post harvest
39 handling;

40
41 (c) National Meat Inspection Service (NMIS), for meats;

42
43 (d) Bureau of Fisheries and Aquatic Resources (BFAR), for fresh fish and
44 other seafoods including those grown by aquaculture;

45
46 (e) Bureau of Plant Industry (BPI), for plant foods;

47
48 (f) Fertilizer and Pesticide Authority (FPA), for pesticides and fertilizers used
49 in the production of plant and animal food;

1 (g) Philippine Coconut Authority (PCA), for fresh coconut;

2
3 (h) Sugar Regulatory Administration (SRA), for sugar; and

4
5 (i) National Food Authority (NFA), for rice, corn and other grains.

6
7 The Bureau of Fisheries and Agriculture Product Standards (BAFPS) shall
8 develop food safety standards including those for organic agriculture. The
9 BAFPS shall establish the mechanism for the development of science-
10 based food safety standards for fresh plant, animal, fisheries and
11 aquaculture foods and shall use the services of experts from the FSRA,
12 other government agencies, academe and private sector.

13
14 The Food Development Center (FDC) of the NFA shall provide scientific
15 support in testing, research and training.

16
17 When necessary and when funds allow, the appropriate food safety units
18 shall be created within the above-stated agencies. To strengthen these
19 organizations, they shall be provided with the necessary personnel out of
20 the existing manpower of the DA.

21
22 Finally, the DA shall, in coordination with other government agencies,
23 monitor the presence of contaminants in foods of plant, animal and fishery
24 origin and shall formulate and implement measures to address incidents of
25 food contamination.

26
27 **SEC. 17.** *The Office of the Undersecretary for Food Safety and Phytosanitary*
28 *Regulation.* – There shall be designated a permanent Undersecretary out of
29 the existing Undersecretaries of the DA to head the Office for Food Safety
30 and Sanitary and Phytosanitary Regulation and who shall exercise the
31 oversight functions of food safety regulatory activities.

32
33 The Undersecretary for Food Safety and Sanitary and Phytosanitary
34 Regulation shall directly supervise the Food Development Center and the
35 BAFPS and shall be the coordinator for Codex activities at the DA and the
36 Codex Contact Point.

37
38 The Office of the Undersecretary for Food Safety and Sanitary and
39 Phytosanitary Regulation shall be provided with the necessary manpower and
40 funds from existing resources to ensure the smooth and efficient discharge of
41 its functions.

42 **SEC. 18.** *Specific Responsibilities of the DOH* - The DOH shall bear the
43 following specific responsibilities:

44
45 (a) The DOH shall ensure the safety of all food processing and product
46 packaging activities;

1 (b) The FDA Center for Food Regulation and Research shall be responsible
2 for implementing a performance-based food safety control management
3 system which shall include, but not limited to, the following:

- 4
- 5 i. Development of food standards and regulations;
- 6
- 7 ii. Post-market monitoring;
- 8
- 9 iii. Enforcement of HACCP and other risk based control measures;
- 10
- 11 iv. Strong participation in Codex and other international standard setting
12 bodies;
- 13
- 14 v. Communication of risks and development of interactive exchange
15 among stakeholders;
- 16
- 17 vi. Establishment of laboratories for food safety and strengthening the
18 capabilities of existing laboratories;
- 19
- 20 vii. Development of a database of food safety hazards and food-borne
21 illness from epidemiological data;
- 22
- 23 viii. Strengthening R&D capabilities on product safety and quality
24 standards; and
- 25
- 26 ix. Certification of food safety inspectors
- 27

28 (c) The Bureau of Quarantine (BOQ), shall provide sanitation and ensure food
29 safety in its area of responsibility in both domestic and international ports and
30 airports of entry, including In-flight catering, food service establishments, sea
31 vessels and aircraft as provided for in the Implementing Rules and
32 Regulations (IRR) of R.A. 9271 and P.D. 856, otherwise known as the
33 Sanitation Code of the Philippines.

34

35 (d) The National Epidemiology Center (NEC), Research Institute of Tropical
36 Medicine (RITM) and the National Center for Disease Prevention and Control
37 (NCDPC) shall conduct and document epidemiological monitoring studies on
38 food-borne illnesses for use in risk-based policy formulation. Food safety risk
39 assessment bodies shall be established for this purpose.

40

41 (e) The National Center for Health Promotion (NCHP) shall be responsible for
42 advocating food safety awareness, information and education to the public.

43

44 (f) The NCDPC shall strategize actions to help ensure the safety of food,
45 reduce the risk of food contamination and food-borne diseases, address the
46 double burden of micronutrient deficiencies and non-communicable diseases
47 and to regularly evaluate the progress made.

48

49 (g) The DOH and the FDA Center for Food Regulation and Research shall be
50 strengthened in terms of establishing food safety functional divisions and

1 incremental staffing of food safety officers and experts and be provided with
2 funds including the fees collected from services.

3
4 **SEC. 19. *Specific Responsibilities of the DILG and LGUs*** - The DILG and
5 local governments shall bear the following responsibilities:

6
7 (a) The LGUs shall be responsible for the enforcement of the Code of
8 Sanitation (PD No 856 December 23, 1975), food safety standards and food
9 safety regulations where food is produced, processed, prepared and/or sold in
10 their territorial jurisdiction. This shall include, but shall not be limited to, the
11 following:

- 12 1. Sanitation particularly in public markets, slaughterhouses, micro and
13 small food processing establishments and public eating places;
- 14 2. Codes of Practice for production, post harvest handling, processing
15 and hygiene;
- 16 3. Safe use of food additives, processing aids and sanitation chemicals;
17 and
- 18 4. Proper labelling of pre-packaged foods.

19
20 (b) The DILG shall support the DOH and the DA in the collection and
21 documentation of food-borne illness data monitoring and research.

22
23 (c) The DILG and LGUs shall participate in training programs, standards
24 development and other food safety activities to be undertaken by the DA, the
25 DOH and other concerned national agencies.

26 27 **Article VI**

28 **Food Safety Regulation Coordinating Board (FSRCB)**

29
30 **SEC. 20. *Powers and Functions.*** – There is hereby created a Food Safety
31 Regulation Coordinating Board, herein after referred to as the Board, with the
32 following powers and functions:

33
34 (a) Monitor and coordinate the performance and implementation of the
35 mandates of the DA, DOH, DILG and LGUs in food safety regulation;

36
37 (b) Identify the agency responsible for enforcement based on their legal
38 mandates when jurisdiction over specific areas overlap;

39
40 (c) Coordinate crisis management and planning during food safety
41 emergencies;

42
43 (d) Establish the policies and procedures for coordination among agencies
44 involved in food safety;

45
46 (e) Continuously evaluate the effectiveness of enforcement of food safety
47 regulations and research and training programs;

48
49 (f) Regularly submit reports to the Congressional Committees on Health,
50 Agriculture and Food, and Trade and Industry; and

(g) Accept grants and donations from local and international sources.

SEC. 21. Organization. – Within 30 days from the effectivity of this Act, the Secretaries of the DA, DOH and the DILG shall organize the Board in accordance with the following rules:

(a) The Board shall be chaired by the DOH Secretary and co- chaired by the DA Secretary. The alternate chair for the DOH shall be the FDA Director General and the alternate co-chair for the DA Secretary shall be the Undersecretary for Food Safety and Sanitary and Phytosanitary Regulation. The members of the Board shall be the Heads of the food safety regulatory agencies of the DA, the Director of the FDA Center for Food Regulation and Research, a representative field operator of the DILG with the rank of a Director, and a representative each from the DTI and the DOST with the rank of a Director. Directors of other DOH agencies with food safety concerns shall join the meeting as it may be deemed necessary by the DOH. The Heads of Leagues of Barangays, Municipalities, Cities and Provinces shall be invited as needed;

(b) Within 12 months from the effectivity of this Act, the Board shall submit a Manual of Procedures containing the rules for the conduct of meetings and decision-making, among others;

(c) The Board shall be assisted by administrative and technical secretariat at the DOH. Both the DOH and the DA shall establish functional divisions and shall organize the administrative and technical personnel for the operation of the Board. The personnel needed under this section shall be taken from the existing manpower of each department.

(d) Funds shall be allocated by the respected agencies concerned with food safety to pay for the organization of meetings, participation of Board members, secretariat, experts and the expenses of a Working Group to be created by the Board to prepare its manual of procedures.

SEC. 22. Accountability for Food Safety Regulation. - The FSRAs of the DA & DOH, in coordination with the LGUs, shall be responsible in ensuring food safety at various stages of the food supply chain within their specified mandates.

ARTICLE VII

Crisis Management

SEC. 23. Rapid Alert System. - A rapid alert system for the notification of a direct or indirect risk to human health due to food shall be established by the FSRCB.

SEC. 24. Emergency Measures. - Where it is evident that food originating from within the country or imported from another country is likely to constitute serious risk to human health, the Board in coordination with the FSRAs of

DOH and DA shall immediately adopt one or more of the following measures, depending on the gravity of the situation:

a) In the case of food of national origin:

1. Suspension of its distribution in the market or the use of the food in question;
2. Laying down special conditions for the food in question; and
3. Any other appropriate interim measure

b) In the case of food from another country:

1. Suspension of imports of the food from all or parts of the third country concerned and, where applicable from the third country of transit;
2. Laying down special conditions for the food in question from all or part of the third country concerned; and
3. Any other appropriate interim measures.

SEC. 25. *Plan for Crisis Management.* - The Board, in coordination with the FSRAs and other relevant government agencies, shall prepare a general plan for the management of a threat to food safety such as radiation contamination of food, food shortage requiring coordinated action and other crisis situations which may compromise food safety. This plan shall specify the situations representing a direct or indirect risk to human health deriving from food which are not likely to be prevented, eliminated or reduced to an acceptable level.

ARTICLE VIII

Implementation of Food Safety Regulations

SEC. 26. *Policies on Official Controls.* - Official controls are established to verify compliance with food laws and regulations and shall be prepared by each agency. The following shall govern the exercise of official controls:

- (a) Official controls shall be implemented by way of regulations prepared by the food safety regulatory agencies in accordance with the principles established in this Act;
- (b) The frequency of official controls shall be proportionate to the severity and likelihood of occurrence of the food safety risks being controlled;
- (c) Official controls shall be based on appropriate techniques, implemented by an adequate number of suitably qualified and experienced personnel and with adequate funds, facilities and equipment;

1 (d) The regulatory agency or body performing official controls shall meet
2 operational criteria and procedures established by the agencies to ensure
3 impartiality and effectiveness;
4

5 (e) Any personnel of food safety regulatory agencies such as, but not limited
6 to, food inspectors shall perform official controls at the highest level of
7 competence and integrity, ever mindful of conflict of interest situations;
8

9 (f) Policies and procedures for official controls shall be documented in a
10 Manual of Operations to ensure consistent, high quality, uniformity,
11 predictability and transparency;
12

13 (g) Provisions shall be made for official controls to be delegated to other
14 competent bodies as determined by the regulatory agency and of the
15 conditions under which this shall take place. When official controls are
16 delegated, appropriate coordination and other procedures including
17 oversight shall be in place and effectively implemented. The accountability
18 over the delegated function shall remain with the regulatory agency; and
19

20 (h) The agencies responsible for the implementation of official controls shall
21 be provided with the necessary funding and technical support out of their
22 existing budget to perform official controls according to the principles
23 indicated in this Act.
24

25 **SEC. 27. Traceability.** - Traceability shall be established for foods at relevant
26 stages of production, post harvest handling, processing or distribution, when
27 needed to ensure compliance with food safety requirements. The rule on
28 traceability shall also cover production inputs such as feeds, food additives,
29 ingredients, packaging materials, and other substances expected to be
30 incorporated into a food. To ensure traceability, food business operators are
31 required to:
32

33 (a) Be able to identify any person or company from whom they have been
34 supplied with:
35

- 36 1. Food;
- 37 2. A food-producing animal;
- 38 3. Production chemicals as pesticides and drugs; and
- 39 4. Production, post harvest handling and processing inputs such as
40 feeds, food additives, food ingredients, packaging materials, or any
41 substance expected to be incorporated into food or food product.
42

43 (b) Establish and implement systems and procedures which allow the above
44 information to be available to the regulatory authorities on demand, and
45

46 (c) Establish systems and procedures to identify the other businesses to
47 which their products have been supplied. This information shall be made
48 available to the regulatory authorities upon demand.
49

Traceability in case of food-borne disease outbreak shall be established by the National Epidemiology Center (NEC) of the DOH.

SEC. 28. *Licensing, Registration of Establishments.* - Appropriate authorizations shall be developed and issued in the form of a permit, license and certificate of registration or compliance that would cover establishments, facilities engaged in production, post harvest, handling, processing, packing, holding or producing food for consumption in accordance with the mandated issuances of regulatory agency issuing such authorizations. Special derogations shall be provided due to geographical location and after an assessment of risks, especially for micro, small and medium sized food business operators and health products.

SEC. 29. *Inspection of Food Business Operators.* - Regular inspection of food business operators shall be performed by the FSRAs or the control bodies delegated to conduct the activity. In addition, the following rules shall be followed in the conduct of inspections:

(a) Inspection shall take into account compliance with mandatory food safety standards, the implementation of HACCP, good manufacturing practices and other requirements of regulations;

(b) The frequency of inspections shall be based on the assessment of risks. Establishments producing high risk foods or carrying out high risk activities shall be inspected more frequently;

(c) Inspectors shall have defined skills on risk-based inspection and shall be regularly evaluated based on suitable procedures to verify their continuing competence; and

(d) Appropriate procedures shall be in place to ensure that the results of inspection are interpreted in a uniform manner.

SEC. 30. *Food Testing Laboratories.* - The following shall guide the management and operation of food testing laboratories:

(a) Food testing shall be carried out by laboratories accredited in accordance with international standards. Those that are not currently accredited shall apply for accreditation within a specified period of time;

(b) Testing shall be carried out using the internationally approved procedures or methods of analysis that have been validated;

(c) Laboratories shall be organized and managed to prevent conflict of interest in the conduct of testing;

(d) Laboratories shall be staffed with analysts with the required expertise and professional competence; and

(e) FSRAs may recognize private testing laboratories accredited by the Philippine Accreditation Office (PAO) of the Department of Trade and Industry (DTI) to support their testing needs.

ARTICLE IX

Training and Consumer Education

SEC. 31. *Training.* – Skills training and other instructional/educational activities shall be regularly provided to food business operators, food handlers and to government personnel as follows:

(a) Food business operators particularly micro, small and medium scale enterprises shall be trained on the requirements of food safety regulations and the understanding of these requirements. Personnel shall be trained on HACCP, on the codes of good practice and on technologies that will enable them to comply with regulations;

(b) Mandatory training on safe food handling and similar courses shall be implemented for food handlers of food businesses; and

(c) Government personnel shall be trained on the scientific basis for the provisions of the law and on the conduct of official controls;

The different food safety regulatory agencies shall identify training needs and the appropriate training programs. Mandatory training programs shall be developed and implemented by accredited training providers.

SEC. 32. *Consumer Education.* – A consumer education program shall be developed by the DA, DOH and LGU's in partnership with the Department of Education, the implementation of which shall be carried out by the latter.

SEC. 33. *Funding.* – Funds shall be provided for the development and implementation of training and consumer education programs

ARTICLE X

Food-borne Illness Monitoring, Surveillance and Research

SEC. 34. *Food-borne Illness Monitoring and Surveillance.* – The government, in support of risk analysis, shall implement the following programs:

(a) An integrated food borne disease monitoring system that links to the sources of food contamination in collaboration with the DOH National Epidemiology Center and the National Center for Disease Prevention and Control;

(b) Identification of hazards in the food supply chain and assessment of levels of exposure to the hazards.

1 **SEC. 35. *Research.*** - The government and academe shall develop and
2 implement a program of research on cost effective technologies and codes of
3 practice for assisting farmers, fisherfolks, micro, small and medium scale
4 enterprises and other stakeholders to enable them to comply with food safety
5 regulations.

6
7 **ARTICLE XI**
8 **Policy on Fees**
9

10 **SEC. 36. *Collection of Fees.*** - The DA, DOH and the LGUs, where
11 applicable, shall be allowed to collect fees for the inspection of food products,
12 production and processing facilities, issuance of import or export certificates,
13 laboratory testing of food samples and other fees as may be deemed
14 necessary.

15
16 Fees shall be based on an officially-approved procedure for estimating the
17 cost of the activity undertaken and shall be subject to government accounting
18 and auditing rules and regulations.

19
20 **ARTICLE XII**
21 **Prohibitions, Penalties and Sanctions**
22

23 **SEC. 37. *Prohibited Acts.*** - It shall be unlawful for any person to:

- 24
25 a) manufacture for sale, offer for sale, distribute in commerce, or import
26 into the Philippines any food or food product which is not in conformity
27 with an applicable food quality or safety standard promulgated in
28 accordance with this Act;
29
30 b) manufacture for sale, offer for sale, distribute in commerce, or import
31 into the Philippines any food or food product which has been declared
32 as banned food product by a rule promulgated in accordance with this
33 Act;
34
35 c) refuse access to pertinent records or entry of inspection officers of the
36 FSRA;
37
38 d) fail to comply with an order relating to notifications to recall unsafe
39 products;
40
41 e) Adulterate, misbrand, mislabel, falsely advertise any food product
42 which misleads the consumers and carry out any other acts contrary to
43 Good Manufacturing Practices;
44
45 f) Operate a food business without the appropriate authorization;
46
47 g) Connive with food business operators or food inspectors, which will
48 result in food safety risks to the consumers; and
49
50 h) Violate the Implementing Rules and Regulations of this Act.

1
2 **SEC. 38. Penalty.** – Any person who shall violate any provision of this Act
3 shall suffer the penalties provided hereunder:
4

5 (a) For the first conviction, a fine of not less than Fifty thousand pesos
6 (P50,000.00) but not more than One hundred thousand pesos
7 (P100,000.00) and suspension of appropriate authorization for one (1)
8 month shall be imposed;
9

10 (b) For the second conviction, a fine of not less than One hundred
11 thousand pesos (P100,000.00) but not more than Two hundred
12 thousand pesos (P200,000.00) and suspension of appropriate
13 authorization for three (3) months shall be imposed;
14

15 (c) For the third conviction, a fine of not less than Two hundred thousand
16 pesos (P200,000.00) but not more than Three hundred thousand pesos
17 (P300,000.00) and suspension of appropriate athorization for six (6)
18 months shall be imposed;
19

20 (d) For violation resulting in slight physical injury of a person, upon
21 conviction, a fine of not less than Two hundred thousand pesos
22 (P200,000.00) but not more than Three hundred thousand pesos
23 (P300,000.00) and suspension of appropriate authorization for six (6)
24 months shall be imposed. The offender shall also pay the
25 hospitalization and rehabilitation cost of a person;
26

27 (e) For violation resulting in less serious or serious physical injury of a
28 person, upon conviction, a fine of not less than Two hundred thousand
29 pesos (P200,000.00) but not more than Three hundred thousand pesos
30 (P300,000.00) and suspension of appropriate authorization for one (1)
31 year shall be imposed. The offender shall also pay the hospitalization
32 and rehabilitation cost of a person;
33

34 (f) For violation resulting in death of a person, upon conviction, the penalty
35 of imprisonment of not less than six (6) months and one (1) day but not
36 more than six (6) years and one (1) day and a fine of not less than
37 Three hundred thousand pesos (P300,000.00) but not more than Five
38 hundred thousand pesos (P500,000.00) and permanent revocation of
39 appropriate authorization to operate a food business shall be imposed.
40

41 If the offender does not have the appropriate authorization, the imposable
42 fines shall be doubled.
43

44 If the offender is a government personnel, in addition to the penalty prescribed
45 herein, said personnel shall be subjected to the appropriate civil service laws
46

47 If the offender is a naturalized citizen, in addition to the penalty prescribed
48 herein, the naturalization certificate and the registration in the civil register of
49 said citizen shall be cancelled. Immediate deportation after payment of fine
50 and service of sentence shall also be imposed.

1
2 If the offender is an alien, said alien shall be summarily deported after
3 payment of fine and service of sentence and perpetually barred from entering
4 the country.

5
6 Any director, officer or agent of a corporation who shall authorize, order or
7 perform any of the acts or practices constituting in whole or in part a violation
8 of Section 37 hereof, and who has knowledge or notice of non-compliance
9 received by the corporation from the concerned department, shall be
10 subjected to the penalties under this Section.

11
12 In case the violation is committed by, or in the interest of a foreign juridical
13 person duly licensed to engage in business in the Philippines, such license to
14 engage in business in the Philippines shall immediately be revoked.

15
16 **ARTICLE XIII**
17 **FINAL PROVISIONS**

18
19 **SEC. 39. *Implementing Rules and Regulations.*** - The DA and the DOH shall
20 jointly issue the Implementing Rules and Regulations within ninety (90) days
21 after the effectivity of this Act.

22
23 **SEC. 40. *Separability Clause.*** - If any provision of this Act is declared invalid
24 or unconstitutional, the other provisions not affected thereby shall remain in
25 full force and effect.

26
27 **SEC. 41. *Repealing Clause.*** - All laws, presidential decrees, executive orders,
28 rules and regulations inconsistent with the provisions of this Act are hereby
29 repealed, amended or modified accordingly.

30 **SEC. 42. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
31 publication in two (2) newspapers of general circulation.

32
33 ***Approved.***

FACT SHEET

6474

House Bill No. _____

(In substitution of House Bill Nos. 3428, 3972 & 4417)

(As Approved by the Committee on February 22, 2012)

AN ACT

TO STRENGTHEN THE FOOD SAFETY REGULATORY SYSTEM IN THE COUNTRY TO PROTECT CONSUMER HEALTH AND FACILITATE MARKET ACCESS OF LOCAL FOODS AND FOOD PRODUCTS, AND FOR OTHER PURPOSES

Introduced by: *REPS. RUFUS B. RODRIGUEZ, MAXIMO B. RODRIGUEZ, ANGELO B. PALMONES, MARK LEANDRO MENDOZA, IRVIN M. ALCALA, DANILO E. SUAREZ, SHARON S. GARIN AND ALFREDO D. MARAÑON III*

Committee Referral: *COMMITTEE ON HEALTH*

Committee Chairperson: *HON. ALFREDO D. MARAÑON III*

OBJECTIVES:

- To protect the public from food-borne and water-borne illnesses and unsanitary, unwholesome, misbranded or adulterated foods
- To enhance industry and consumer confidence in the food regulatory system
- To contribute to economic growth and development by promoting fair trade practices and by sound regulation of domestic and international trade

KEY PROVISIONS:

- Creates a Food Safety Regulation Coordinating Board, chaired by the Secretary of the Department of Agriculture (DA) and co-chaired by the Secretary of the Department of Health (DOH), which has the following powers and function: (1) authority to link the mandates, control functions and activities of the DA, the DOH and the Department of Interior and Local Government (DILG) in food safety regulation; (2) identify agency responsible for enforcement in case of overlapping functions; (3) establish policies and procedures for coordination of regulatory systems as implemented by the DA, DOH and DILG and (4) coordinate crisis management efforts during incidents involving food safety, among others;
- Lays down the principles of food safety which include, but are not limited to, the determination of whether or not food is unsafe for human consumption; determination of whether or not food is injurious to health; and determination of whether or not food is unsafe for human consumption;
- Mandates the DOH to use scientific and risk analysis to ensure that the public is protected from foods and food products that are unsafe for human consumption. Such analysis shall be guided by the following: (1) development of safety legislation and standards; (2) risk

assessment based on sound scientific evidence undertaken in an independent, objective and transparent manner (3) risk management on account of the results of risk assessment relevant to local conditions, potential for enforcement and cost of compliance, etc (4) risk communication carried out between risk assessors and risk managers in a transparent manner and (5) food business operators implementing a HACCP-based system for food safety assurance in their operations;

- Protects consumer interest through the prevention of adulteration, misbranding, fraudulent practices and other practices which mislead the consumer;
- Sets Food Safety Standards in accordance with the Philippine National Standards and the standards of the Codex Alimentarius Commission;
- Provides transparency by way of mandating the DOH to give enough information to the public regarding foods that may pose risk to human health, the affected foods, types of food and the necessary measure to prevent, reduce or eliminate the risk;
- Delineates to business operators and government agencies such as DA, DILG and the Local Government Units (LGUs) specific responsibilities of determining whether or not certain food or food product satisfies the requirements for food safety;
- Provides emergency measures when it is evident that food originating from within the country or imported from other country is likely to constitute serious risk to human health. Such measures include the suspension of marketing of locally produced foods and suspension of importation of imported foods;
- Provides for a Crisis Management system and procedures to address cases of possible radiation contamination of food; food shortage requiring combined action and other crisis situations which may compromise food safety;
- Provides for traceability by having in place a system by which the regulatory authorities can easily pinpoint the food business operator to which the foods or food products have been supplied and also for easy identification of person or company from whom food business operators are getting their supplies;
- Mandates the Food Safety Regulatory Agencies (FSRA) to conduct regular inspection of food business operators to ensure compliance with the safety standards and Good Manufacturing Practices, among others;
- Mandates that food testing shall be carried out by testing laboratories accredited by the Philippine Accreditation Office of the Department of Trade and Industry (DTI);
- Provides consumer education and training for food business operators, food handlers and government personnel, of which training needs shall be identified by the FSRA's and the training program shall be developed and implemented by the accredited training providers;
- Provides for, on top of the administrative penalties, a graduated penalty which starts from a minimum fine of Fifty thousand pesos (P50,000.00) for the first conviction to a maximum of One million pesos (P1,000,000.00) and imprisonment of not less than six (6) months and

one (1) day to not more than six (6) years and one day for final conviction in case of death.

RELATED LAWS:

- R.A. No. 7394, also known as the "Consumer Act of the Philippines"
- R.A. No. 9711, also known as the "Food and Drug Administration Act"
- The Revised Penal Code