



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City



Seventeenth Congress
First Regular Session

HOUSE BILL No. **5323**

Introduced by Representative **GERALDINE B. ROMAN**

EXPLANATORY NOTE

The safety and health of our citizens should be the prime consideration of every government. National development goals must be approached from a holistic perspective. Every government must aim for the complete transformation of its citizens into a people that has both the mindset and physical condition necessary for achieving national progress.

To this end, it is in the interest of the Government to ensure that the food that its citizens eat is found well-within the standards set by reputable agencies worldwide. In this respect, we must recognize that both the United States Food and Drug Administration and the European Food Safety Authority are high-standard authorities in the field of food safety. As such, in the interest of guarding the safety of our food as it journeys from farm to table, it is only logical for Government to try to adopt the same high standards that these international food safety institutions have set. In the name of modernization and alignment with global standards, our own Food and Drug Administration (FDA) will find that adopting globally-accepted standards will serve the interests of the Filipino people.

This will also serve to benefit the country's export industry as the observance of stringent standards will allow our producers and exporters to easily compete on the global arena. Keeping our food safety standards topnotch will ensure proper nourishment of our people and will enable our products to compete toe-to-toe with other food products from across the world

For these reasons, passage of this bill is earnestly sought.



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AN ACT
DIRECTING THE FOOD AND DRUG AUTHORITY (FDA) TO ALIGN THE
NATIONAL FOOD SAFETY STANDARDS OF THE PHILIPPINES
WITH INTERNATIONALLY-ACCEPTED PRACTICES AND ENSURE NATIONWIDE
MONITORING AND COMPLIANCE THERETO, AND FOR OTHER PURPOSES

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

Section 1. Short Title – This Act shall be known as the “FDA International Standards Act of 2017.”

Section 2. Declaration of Policy – It shall be the policy of the State to secure the health of its citizens by ensuring that the food safety standards they observe are acceptable globally and meet even the most stringent qualifications. To this end, the State shall adopt the best practices exercised internationally.

Section 3. Alignment with Internationally-Accepted Food Safety Standards– The Food and Drug Administration (FDA) shall align its food safety standards with the standards set by the United States Food and Drug Administration and the European Food Safety Authority.

Section 4. Resolution of Cases of Discrepancies in Food Safety Standards– In cases where there are discrepancies between the standards followed by either of the two, the Food and Drug Administration shall adopt and apply the more stringent standards as identified by the Department of Health.

Section 5. Implementation of Food Safety Standards–The Food and Drug Administration shall promulgate its food safety standards, especially to the agriculture sector and to businesses that engage in food services. The promulgation shall include a list which specifically identifies substances or its ingredients that are prohibited and shall never be used for the production of food.

Section 6. *Monitoring in the Agricultural Sector* – The Food and Drug Administration, in coordination with the Department of Agriculture, the Department of Science and Technology, and the Local Government Unit concerned, shall monitor and ensure that farmers and other workers in the agricultural sector shall comply with the standards promulgated by the Food and Drug Administration in relation to their production of food. This shall include, but shall not be limited to, the approval of fertilizers, pesticides, & other chemicals used in the agricultural sector.

Section 7. *Local Unavailability of Fertilizers or Pesticides Approved by New Food Safety Standards*– In cases where approved fertilizers or pesticides manufactured internationally are locally unavailable, the Department of Science and Technology and the Department of Agriculture shall work towards developing new and compliant locally-manufactured fertilizers and pesticides for use in the agricultural sector.

Section 8. *Monitoring in the Food Services Sector* – The Food and Drug Administration, in coordination with the Department of Health and the Department of Trade and Industry, shall monitor and ensure the compliance of businesses engaged in food service, with the standards promulgated by the Food and Drug Administration. This shall include, but shall not be limited to, the prohibition of hazardous substances used as ingredients in the manufacturing of food items.

Section 9. *Compliance of Business Establishments in the Food Services Sector* – All business establishments engaged in food service shall be furnished with a list of substances which are prohibited to be used as ingredients in the manufacture of food items. Further, Local Government Units shall be empowered to monitor and enforce compliance to the food safety standards promulgated by the Food and Drug Administration.

Section 10. *Implementing Rules and Regulations* – The Food and Drug Administration and the Department of Health shall have joint responsibility over the formulation of the Implementing Rules and Regulations necessary for the effective execution and enforcement of this Act. They shall do so in close coordination with the Department of Science and Technology, Department of Agriculture, Department of Trade and Industry, as well as other stakeholders.

The Implementing Rules and Regulations shall be released within ninety (90) days from the approval of this Act.

Section 11. *Repealing Clause* – All laws, presidential decrees, executive orders, rules and regulations, and parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 12. *Separability Clause* – If, for any reason, any section or provision of this Act, or any portion thereof, or the application of such section, provision, or portion to any person, group, or circumstance is declared invalid or unconstitutional, the remainder of this Act or the application of such section, provision, or portion thereof to other persons, groups, or circumstances shall not be affected by such declaration.

Section 13. *Effectivity* – This Act shall take effect fifteen (15) days following its publication in three (3) newspapers of general circulation.

Approved,

