

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 8090



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

The Code of Sanitation of the Philippines is one of the most ignored laws in the country despite its sheer importance in our daily lives. The penalties provided are simply not enough to prevent the rampant disregard by certain establishments of safety, sanitation and health. On the other hand, complaints are most often inconvenient, costly and unfruitful.

This bill seeks the increase in the penalty for violations provided under the Sanitation Code of the Philippines and to add protection to the public against acts inimical to food handling and preparation procedures.

There is no better time to update the penalties in our Code of Sanitation than now. Food businesses are everywhere, and food options are increasing in variety. People are eating out more and more either to save money or for sheer lack of time. Hence, this affects almost all sectors of society.

For the State, the protection of the health of the people is of paramount importance. The proposed stiffer penalties are intended to exact the accountability and responsibility to comply with the requirements of law regarding proper food handling and sanitation from all those involved.

In consideration of the foregoing premises, the passage of this bill is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT

**PENALIZING ACTS INIMICAL TO PROPER FOOD HANDLING AND
PREPARATION REQUIREMENTS, AS PROVIDED BY CHAPTER III OF
PRESIDENTIAL DECREE NO. 856, OTHERWISE KNOWN AS THE CODE ON
SANITATION OF THE PHILIPPINES, FOR THE PURPOSE OF INCREASING THE
PENALTY FOR VIOLATION THEREOF**

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

SECTION 1. In the interest of protecting the public against acts inimical to proper for handling and preparation processes, Chapter III of Presidential Decree No. 856 is hereby amended for Sec. 33 to be interested and real as follows:

CHAPTER III – Food Establishments

Sec.33 (A) Penal Provision –

(i) Penalty for persons committing violation/s in the proper handling and preparation of food, as provided in this chapter – for placing the lives and health of the general public at risk, employees and/or other persons who directly commit violations in the proper handling and preparation of food, as provided by this chapter , shall be, without prejudice to other criminal and/or civil actions available to government and members of the general public, penalized by imprisonment for a

period of not less than SIX (6) MONTHS AND ONE (1) Day but not exceeding FIVE THOUSAND PESOS (P 5,000.00) or BOTH, depending upon the discretion of the court.

(ii) Penalty for the owners, employers, supervisors, or persons otherwise performing similar tasks or functions in the establishments where violation/s in the proper handling and preparation of food, as provided in this chapter, occurred – for placing lives and health of the general public at risk through their fault, negligence or otherwise, in hiring, supervising, or other acts falling short of the due diligence required by law in the management of food establishment, owners, employers, supervisors, managers, and other persons who are required by law to exercise due diligence in protecting the sanctity of food, and patently failing to exercise such as evident on the violation/s in the proper handling and preparation of food in the establishment they own, manage, supervise or persons otherwise performing similar tasks or functions, as provided by this chapter, shall be, without prejudice to other criminal and/or civil actions available to the government and members of the general public, penalized by imprisonment for a period of not less than SIX (6) MONTHS AND ONE DAY (1) but not exceeding FOUR (4) YEARS or by a fine not exceeding FIVE THOUSAND PESOS (P 5,000.00) or BOTH, depending upon the discretion of the court.

(iii) Penalty for the provincial, City or Municipal Health officer in Charge of ensuring the implementation of this Code in the locality where the persons stated in the two preceding subsections who have done acts inimical to the sanitation requirements in violation/s of the proper handling and preparation of food, as provided by this chapter occurred – for placing lives and health of the general public at risk through the GROSS NEGLIGENCE and/or DERELICTION OF THEIR DUTY, as provided by this chapter, the Provincial, City, Or Municipality Health Officer shall be, without prejudice to other criminal and/or civil actions available to the government and members of the general public, penalized by imprisonment for a period of not less than SIX (6) MONTHS AND ONE (1) DAY but not exceeding FIVE THOUSAND PESOS (P 5,000.00), Depending upon the discretion of the court.

(iv) For Placing lives and health of the general public at risk the WILLFUL, FELONIOUS AND CRIMINAL CONNIVANCE,, CONSPIRACY AND OTHER SIMILAR ACTS with the owners, employees, supervisors, or persons otherwise performing similar tasks or functions in the establishments where violation/s in the proper handling and preparation of food, as provided in this chapter, occurred, or with the persons committing violation/s in the proper handling and preparation of food, as provided in this chapter, the provincial, City or Municipal Health Officer shall be, without prejudice to other criminal and/or civil actions available to government and members of the general public, penalized by imprisonment for a period of not less than SIX (6) MONTHS AND ONE (1) DAY but not exceeding SIX (6) YEARS or a fine not exceeding TEN THOUSAND PESOS (P 10,000.00) or BOT, and shall be ABSOLUTELY DISQUALIFIED FROM HOLDING PUBLIC OFFICE, depending on the discretion of the court.

SECTION 2. This Act shall effect fifteen (15) days following its publication in the official Gazette or in a Newspaper of General Circulation.

Approved,