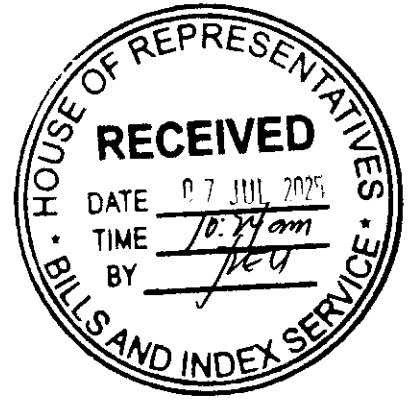




**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**NINETEENTH CONGRESS
FIRST REGULAR SESSION**

House Bill No. 1373



INTRODUCED BY Rep. ZIAUR-RAHMAN ALONTO ADIONG

EXPLANATORY NOTE

The Halal industry has emerged as a significant global market, with its value reaching trillions of dollars. In light of this, it is essential for the Philippines to tap into this industry and establish a robust framework that promotes the production and certification of Halal food and cosmetics.

Our country is strategically located, surrounded by neighbors who actively consume and trade in Halal certified products. The proximity to Muslim-majority countries and regions that adhere to Islamic dietary laws presents a unique opportunity for the Philippines to become a key player in the Halal industry. By establishing a Halal industry administration, we can seize this opportunity to expand our export potential and enhance trade relations with these nations.

While the primary focus of Halal certification is to ensure compliance with Islamic dietary laws, it is important to recognize that other religious communities may share similar dietary restrictions and preferences. By adopting a standardized Halal certification process, we can accommodate the needs of various religious groups and provide them with access to products that align with their beliefs. This inclusive approach will not only benefit our Muslim population but also enhance the marketability and accessibility of our products to a wider consumer base.

The establishment of a dedicated Halal industry administration will serve several purposes. Firstly, it will facilitate the development and implementation of comprehensive guidelines for Halal certification, encompassing not only food but also cosmetics and related products. This will enable local businesses to navigate the certification process and capitalize on the growing demand for Halal products in the domestic and international markets.

Secondly, the Halal industry administration will play a crucial role in promoting research and development in the Halal sector. By investing in scientific advancements and technological innovation, we can enhance the quality, safety, and integrity of Halal products, reinforcing consumer confidence and competitiveness in the global market. This will also provide opportunities for local entrepreneurs, farmers, and manufacturers to explore new avenues in product development and diversification.

Additionally, the administration will serve as a regulatory body, responsible for monitoring compliance with Halal standards throughout the supply chain. This will

ensure that consumers can trust the authenticity of Halal products and foster transparency in the industry. By implementing stringent quality control measures and conducting regular inspections, the administration will safeguard the integrity of the Halal certification process, thereby promoting consumer trust and enhancing the reputation of Philippine Halal products.

Furthermore, the Halal industry administration will actively engage in international collaborations and partnerships, fostering trade relationships and the exchange of expertise with other countries that have established successful Halal industries. By participating in international conferences, exhibitions, and trade fairs, we can showcase the diverse range of Halal products that the Philippines has to offer. This will not only attract foreign investment but also enable us to learn from best practices, acquire knowledge, and strengthen our position as a reliable supplier of Halal products in the global market.

In conclusion, the establishment of a Halal industry administration is crucial for the Philippines to tap into the immense economic potential of the Halal market. By doing so, we can not only cater to the needs of our Muslim population but also provide a diverse range of high-quality products to consumers adhering to similar dietary prescriptions. This bill seeks to create an institutional framework that promotes the growth, standardization, and regulation of the Halal industry, positioning the Philippines as a key player in the global Halal market. Through strategic planning, research and development, and effective regulatory measures, we can leverage our geographic advantage and cultural diversity to unlock the full potential of the Halal industry, driving economic growth, job creation, and increased international trade for the benefit of the Filipino people.

As such, the approval of this bill is earnestly sought.



REP. ZIAUR-RAHMAN ALONTO ADIONG
1st District, Lanao Del Sur



**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**NINETEENTH CONGRESS
FIRST REGULAR SESSION**

House Bill No. 1373

INTRODUCED BY **Rep. ZIAUR-RAHMAN ALONTO ADIONG**

**AN ACT ESTABLISHING A HALAL FOOD AND DRUG ADMINISTRATION
AND FOR OTHER PURPOSES**

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

CHAPTER I

Section 1. TITLE. This Act shall be known as the "Halal Food and Drug Administration Act."

CHAPTER II

Section 2. DECLARATION OF POLICY. Acknowledging the significant role played by the Halal industry in bolstering the national economy, it is hereby proclaimed that the State shall adopt a policy to foster the expansion and prosperity of the local Halal industry, thereby harnessing its full revenue-generating capabilities.

To achieve this objective, the State shall actively advocate for the adoption of an efficient system for managing and handling Halal-certified products and services, adhering to internationally recognized standards that safeguard their integrity and excellence. Furthermore, the State shall empower local manufacturers and businesses that offer Halal-certified products and services by facilitating incentives for innovation, providing technical assistance, and creating investment prospects.

Section 3. OBJECTIVES. In the implementation of the foregoing policy, the Government shall in accordance with the provisions of this Act:

- A. Establish standards and quality measures for halal food, drug, and cosmetics.
- B. Adopt measures to ensure a pure and safe supply of halal food, drug, and cosmetics in the country.

- C. Create a centralized system of certification to increase public trust in halal certifying authorities.

Section 4. DEFINITION OF TERMS.

- a. *Halal* refers to lawful or permissible under Shari'ah (Islamic Law).
- b. *Halal Ecosystem* refers to the entire atmosphere of the Halal industry that comprises production, services, governmental support, and human capital.
- c. *Halal-certified* refers to products, especially meat products, certified by a Government accredited Halal Certifying body and identified by a Halal logo under the Rules laid down by the Philippine Halal Export Development and Promotion Board.
- d. *Haram* refers to unlawful or not permissible as pertaining to food, beverage and other intoxicating products not allowed for human consumption such as pork meat, dogs, cats, reptiles, amphibians and predatory animals, as well as services prohibited under Shari'ah law.
- e. *Halal lane* refers to a place, path, or lane in grocery stores and supermarkets, but which includes delivery vehicles, storage rooms or place for preservation of meat items, storage or place of display for sale, carts, baskets, trolleys and other carriers, weighing scales and other tools, packing/packaging, and the counter which will be used exclusively for halal certified products only.
- f. *Products* refer to food and nonfood items produced by human or mechanical effort, or by a natural process, or a combination thereof, and marketed or sold as a commodity.
- g. "Board" means the Board of Food and Drug Inspection.
- h. "Secretary" means the Secretary of Trade and Industry.
- i. "Department" means the Department of Health.
- j. "Person" includes individual, partnership, corporation and association.
- k. "Food" means (1) articles used for food or drink for man, (2) chewing gum, and (3) articles used for components of any such article.
- l. "Drug" means (1) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and (3) articles (other than food) intended to affect the structure or any function of the body of man or animals; and (4) articles intended for use as a component of any articles specified in clauses (1), (2), or (3), but not include devices or their components, parts, or accessories.
- m. "Device" means instruments, apparatus, or contrivances, including their components, parts, and accessories, intended (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animals; or (2) to affect the structure or any function of the body of man or animals.
- n. "Cosmetic" means (1) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles intended for use as a component of any such articles.
- o. "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.
- p. "Immediate container" does not include package liners.
- q. "Labeling" means all labels and other written, printed, or graphic matter (1) upon any article or any of its containers or wrappers, or (2) accompanying such article.

- r. "Food additive" means any substance the intended use of which results or may reasonably be expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food; and including any source of radiation intended for any such use), if such substance is not generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures to be safe under the conditions of its intended use.

CHAPTER III

Creation of the Halal Food and Drug Administration

Section 4. CREATION OF OFFICE. To carry out the provisions of this Act, there is hereby created an office to be called the Halal Food and Drug Administration in the Department of Trade and Industry. Said Administration shall be under the Office of the Secretary and shall have the following functions, powers and duties:

- a. To administer and supervise the implementation of this Act and of the rules and regulations issued pursuant to the same.
- b. To provide for the collection of samples of food, drug and cosmetics.
- c. To analyze and inspect food, drug and cosmetic in connection with the implementation of this Act.
- d. To establish analytical data to serve as basis for the preparation of food, drug and cosmetic standards, and to recommend standards of identity, purity, quality and fill of container.
- e. To issue certificates of compliance with technical requirements to serve as basis for the issuance of license and spot-check for compliance with regulations regarding operation of food, drug and cosmetic manufacturers and establishments.
- f. To levy, assess and collect fees for inspection, analysis and testing of products and materials submitted in compliance with the provisions of this Act.

Section 5. DIVISIONS. The Halal Food and Drug Administration shall have the following Divisions:

- a. Inspection and Licensing Division, which shall have charge of the inspection of food, drug, and cosmetic establishments engaged in their manufacture and sale.
- b. Laboratory Division, which shall conduct all the tests, analyses and trials of products covered by this Act.

Section 6. APPOINTMENT OF ADMINISTRATOR. The Food and Drug Administration shall have a Food and Drug Administrator who shall be appointed by the Secretary of Trade and Industry subject to the Civil Service rules and regulations. The compensation of said official shall be determined by the Secretary of Trade and Industry.

Section 7. ADDITIONAL PERSONNEL. The Secretary of Trade and Industry shall provide for the additional personnel needed to carry out the functions and duties of the Food and Drug Administration.

CHAPTER IV

Board of Halal Food and Drug Inspection

Section 9. A Board of Halal Food and Drug Inspection is hereby established which shall consist of:

- (a) A representative of the Department of Trade and Industry as Chairman;
- (b) A representative of the Department of Agriculture and Natural Resources;
- (c) A representative of the Department of Commerce and Industry;
- (d) An authorized designate of the Commissioner of Customs;
- (e) An authorized representative of the Office of the Solicitor-General;
- (f) A technical member to be designated by the Food and Drug Administrator with the approval of the Secretary of Trade and Industry.

It shall be the duty of the Board, conformably with the rules and regulations, to hold hearings and conduct investigations relative to matters touching the administration of this Act, to investigate processes of food, drug and cosmetic manufacture and to submit reports to the Food and Drug Administrator, recommending food and drug standards for adoption. Said Board shall also perform such additional functions, properly within the scope of the administration hereof, as may be assigned to it by the Food and Drug Administrator. The decisions of the Board shall be advisory to the Food and Drug Administrator.

CHAPTER V

Prohibited Acts and Penalties

Section 11. PROHIBITED ACTS. The following acts and the causing thereof are hereby prohibited:

- a. The manufacture, sale, offering for sale or transfer of any food, drug, device or cosmetic that is adulterated or misbranded.
- b. The adulteration or misbranding of any food, drug, device, or cosmetic.
- c. The refusal to permit entry or inspection as authorized by Section twenty-seven hereof or to allow samples to be collected.
- d. The giving of a guaranty or undertaking referred to in Section twelve (b) hereof which guaranty or undertaking is false, except by a person who relied upon a guaranty or undertaking to the same effect signed by, and containing the name and address of, the person residing in the Philippines from whom he received in good faith the food, drug, device, or cosmetic or the giving of a guaranty or undertaking referred to in Section twelve (b) which guaranty or undertaking is false.
- e. Forging, counterfeiting, simulating, or falsely representing or without proper authority using any mark, stamp, tag label, or other identification device authorized or required by regulations promulgated under the provisions of this Act.
- f. The using by any person to his own advantage, or revealing, other than to the Secretary or officers or employees of the Department or to the courts when relevant in any judicial proceeding under this Act, any information acquired under authority of Section nine, or concerning any method or process which as a trade secret is entitled to protection.

- g. The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to, a food, drug, device, or cosmetic, if such act is done while such article is held for sale (whether or not the first sale) and results in such article being adulterated or misbranded.
- h. The use, on the labeling of any drug or in any advertising relating to such drug, of any representation or suggestion that an application with respect to such drug is effective under Section twenty-one hereof, or that such drug complies with the provisions of such section.
- i. The use, in labeling, advertising or other sales promotion of any reference to any report or analysis furnished in compliance with Section twenty-six hereof.

Section 12. PENALTIES. (a) Any person who violates any of the provisions of Section eleven hereof shall, upon conviction, be subject to imprisonment of not less than six months and one day, but not more than five years, or a fine of not less than one thousand pesos, or both such imprisonment and fine, in the discretion of the Court.

(b) No person shall be subject to the penalties of subsection (a) of this section:

- 1. for having sold, offered for sale or transferred any article and delivered it, if such delivery was made in good faith, unless he refuses to furnish on request of the Board of Food and Drug Inspection or an officer or employee duly designated by the Secretary, the name and address of the person from whom he purchased or received such article and copies of all documents, if any there be, pertaining to the delivery of the article to him;
- 2. for having violated Section eleven (a) if he established a guaranty or undertaking signed by, and containing the name and address of, the person residing in the Philippines from whom he received in good faith the article, or
- 3. for having violated Section eleven (a), where the violation exists because the article is adulterated by reason of containing a coal-tar color not permissible under regulations promulgated by the Secretary under this Act, if such person establishes a guaranty or undertaking signed by, and containing the name and address, of the manufacturer of the coal-tar color, to the effect that such color is permissible, under applicable regulations promulgated by the Secretary under this Act.

(c) Any article of food, drug, device, or cosmetic that is adulterated or misbranded when introduced into the domestic commerce may be seized and held in custody pending proceedings pursuant to Section twenty-six (d) hereof, without a hearing or court order, when the Secretary has probable cause to believe from facts found by him or any officer or employee of the Food and Drug Administration that the misbranded article is dangerous to health, or that the labeling of the misbranded articles is fraudulent, or would be in a material respect misleading to the injury or damage of the purchaser or consumer.

CHAPTER VII

Definition and Standards for Food

Section 13. REASONABLE STANDARDS. Whenever in the judgment of the Secretary such action will promote honesty and fair dealing in the interest of consumers, he shall, upon recommendation of the Food and Drug Administrator, promulgate regulations fixing and establishing for any food, under its common or usual name so far as practicable, a reasonable definition and standard of identity, a reasonable standard of quality, and/or reasonable standards of fill of container:

Provided, That no definition and standard of identity and no standard of quality shall be established for fresh or dried fruits, fresh or dried vegetables.

Section 14. ADULTERATED FOOD. A food shall be deemed to be adulterated:

(a)

(1) If it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance such food shall not be considered adulterated under this clause if the quantity of such substance in such food does not ordinarily render it injurious to health;

(2) if it bears or contains any added poisonous or added deleterious substance other than one which is a pesticide chemical in or a raw agricultural commodity for which tolerances have been established and it conforms to such tolerances;

(3) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for food:

(4) if it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby, it may have been rendered injurious to health;

(5) if it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter;

(6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

(b)

(1) If any valuable constituent has been, in whole or in part, omitted or abstracted therefrom and same has not been substituted by any healthful equivalent of such constituent;

(2) if any substance injurious to health has been added or substituted;

(3) if damage or inferiority has been concealed in any manner; and

(4) if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(c) If it bears or contains a coal-tar color other than one which is permissible under existing regulations;

(d) If it is confectionery, and it bears or contains any alcohol or non-nutritive article or substance except harmless coloring, harmless flavoring, harmless resinous glass less coloring, harmless flavoring, harmless resinous glass not in excess of four-tenths of one per centum, natural gum and pectin: Provided, That this paragraph shall not apply to any confectionery by reason of its containing less than one-half of one per centum by volume of alcohol derived solely from the use of flavoring extracts, or to any chewing gum by reason of its containing harmless non-nutritive masticatory substances;

(e) If it is oleomargarine or margarine or butter and any of the raw material used therein consists in whole or in part of any filthy, putrid or decomposed substance, or such oleomargarine, margarine or butter is otherwise unfit for food.

Section 15. MISBRANDED FOOD.

A food shall be deemed to be misbranded:

(a) If its labeling is false or misleading in any particular;

(b) If it is offered for sale under the name of another food;

(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;

(d) If its container is so made, formed, or filled as to be misleading;

(e) If in 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 under clause (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(f) If any word, statement, or other information required by or under authority of this Act to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling), and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(g) If it purports to be or is represented as a food for which a definition and standard of identity has been prescribed unless:

(1) it conforms to such definition and standard, and

(2) its label bears the name of the food specified in the definition and standard, and, insofar as may be required by such regulations, the common names of optional ingredients (other than spices, flavoring, and coloring) present in such food.

(h) If it purports to be or is represented as

(1) A food for which a standard of quality has been prescribed by regulations as provided by Section thirteen, and its quality falls below such standard, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard; or

(2) a food for which a standard or standards of fill of container have been prescribed by regulations as provided by Section thirteen and it falls below the standard of fill of container applicable thereto, unless its label bears, in such manner and form as such regulations specify, a statement that it falls below such standard.

(i) If it is not subject to the provisions of paragraph (g) of this section unless its label bears (1) the common or usual name of the food, if there be any, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such

ingredient; except that spices, flavorings, and colorings, other than those sold as such, may be designated as spices, flavorings and colorings without naming each: Provided, That to the extent that compliance with the requirements of clause (2) of this paragraph is impracticable or results in deception or unfair competition, exemptions shall be established by regulations promulgated by the Secretary.

(j) If it purports to be or is represented for special dietary uses, unless its label bears such information concerning its vitamin, mineral and other dietary properties as the Secretary determined to be, and by regulations prescribes as necessary in order fully to inform purchasers as to its value for such uses.

(k) If it bears or contains any artificial flavoring, artificial coloring, or chemical preservative, unless it bears labeling stating that fact: Provided, That to the extent that compliance with the requirements of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the Secretary. The provisions of this paragraph or paragraphs (g) and (i) with respect to artificial coloring shall not apply in the case of butter, cheese or ice cream.

Emergency Permit Control

Section 16. (a) Whenever the Secretary finds after investigation that the sale or distribution in domestic commerce of any class of food may be injurious to health, and that such injurious nature cannot be adequately determined after such articles have entered domestic commerce, he shall promulgate regulations also in accordance with the recommendations of the Food and Drug Administrator providing for the issuance, to manufacturers, processors, or packers of such class of food in such locality, of permits to which shall be attached such conditions governing the manufacture, processing, or packing of such class of food, for such temporary period of time, as may be necessary to protect the public health; and after the effective date of such regulations, and during such temporary period, no person shall manufacture, sell or offer for sale or transfer any such food manufactured, processed, or packed by any such manufacturer, processor, or packer unless such manufacturer, processor or packer holds a permit issued by the Secretary as provided by such regulations.

(b) The Secretary is authorized to suspend immediately upon notice any permit issued under authority of this section if it is found that any of the conditions of the permit have been violated.

(c) Any officer or employee duly designated by the Secretary shall have access to any factory or establishment, the operator of which holds a permit from the Secretary, for the purpose of ascertaining whether or not the conditions of the permit are being complied with, and denial of access for such inspection shall be ground for suspension of the permit until such access is freely given by the operator.

Section 16. Implementing Rules and Regulations.

The Board of Halal Food and Drug Inspection shall convene within fifteen (15) days from effectivity to draft the IRR within ninety (90) days from convening..

Section 17. Appropriations Clause.

the initial funds of which shall be charged against the current year's appropriations. Thereafter, the amount for the continued operation of the said regional engineering office and district engineering offices shall be included in the General Appropriations Act.

Section 18. Separability Clause.

If any provision is held invalid or unconstitutional, the remainder of the law remains valid and effective.

Section 19. Repealing Clause.

All laws, decrees, executive orders, proclamations, and administrative regulations inconsistent with this Act are repealed or modified accordingly.

Section 20 Effectivity Clause.

This Act shall take effect fifteen (15) days after publication in at least two (2) national newspapers of general circulation.

Approved,