Republic Act No. 10611
The Food Safety Act of 2013
PRESENTATION OUTLINE

- Overview of the Food Safety Act
  - What is Food Safety?
  - Objectives of the Law
  - Road Map
- Stakeholders Involved in the Food Safety Act:
  - Role of Local Government Units
- Prohibited Acts
- Penalties and Sanctions
Republic Act No. 10611

- 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

- “Philippine Food Safety Act of 2013”
# Food Safety Act: Outline

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What is....

- The assurance that food will **not cause harm** to the consumer when it is **prepared** or **eaten** according to its **intended use**.
Objective of the Safety Act of 2013

- Public protection from food and water-borne illnesses and unsanitary, unwholesome, misbranded or adulterated foods
- Enhance confidence in the food regulatory system
- Achieve economic growth and development by promoting fair trade practices and sound regulatory foundation for domestic and international trade
**Food Safety Road Map**

- **Delineate and link** the mandates and responsibilities of the government agencies involved.
- Provide a mechanism for *coordination and accountability* in the implementation of regulatory functions.
- **Establish** policies and programs for addressing food safety hazards and developing appropriate standards and control measures.
- **Strengthen** the scientific basis of the regulatory system.
- **Upgrade the capability** of farmers, fisherfolk, industries, consumers and government personnel in ensuring food safety.
Major Stakeholders

- Food business operators
- Government agencies
- Other stakeholders
Responsibilities of Food Business Operators (FBOs)
Stakeholders involved in Food Safety

• Food Business Operators (FBO)

  - Principal Responsibility (Sec. 13)
    - Food satisfies the requirement of food law
    - Control systems in place
Stakeholders involve in Food Safety

• Food business operators (FBO)

  ❖ Specific Responsibilities (Sec. 14)
    a) Knowledge of the specific requirements of food law
    b) Voluntary withdrawal of the food in question from the market and inform the regulatory authority
Stakeholders involve in Food Safety

• Food business operators (FBO)

  ❖ Specific Responsibilities (Sec. 14)
    c) Allow inspection of their businesses and collaborate on action taken to avoid risks
    d) Effective and accurate information to consumers of the reason for withdrawal and recall of products from the market
• All food businesses shall designate a Food Safety Compliance Officer (FSCO) who has passed a prescribed training course for FSCO recognized by the DA and/or the DOH.
• **MICRO AND SMALL ENTERPRISES**, the owner may serve as the FSCO or a consultant FSCO may be employed on part-time or full-time basis.

• **LARGE- AND MEDIUM- SCALE FOOD BUSINESSES** shall designate an FSCO who is preferably a graduate of food-related courses
• Upon the occurrence of any food safety incident, FBOs shall immediately implement appropriate control measures. FBOs shall immediately report to the concerned FSRA any food safety incident which has caused or contributed to the death, serious illness or serious injury of any person. Thereafter, subject to Rule 12.1.7, the FBO shall be summoned by the concerned FSRA to attend a technical conference to resolve any food safety issue or determine whether or not a death, serious illness or serious injury suffered by a consumer is attributable to a food safety issue.
Major Stakeholders - Responsibilities

National Government Agencies
MANDATE

- Department of Agriculture

- Principal Responsibility [Sec15(a)]:
  i. Primary production
  ii. Post harvest stages of food supply chain and
  iii. Foods locally produced or imported in this category
• **Primary production (under DA)** refers to the production, rearing or growing of primary products including harvesting, milking and farmed animal production up to slaughter; and the rearing and growing of fish and other seafood in aquaculture ponds. It also includes fishing and the hunting and catching of wild products.
• Post harvest stages (under DA) refer to the stages in the food supply chain involving the minimal transformation of plant and animal foods after primary production such as removal of field heat for fruits, slaughter of animals, sorting, grading and cutting of fresh plant and animal foods, icing and freezing, and the milling and storage of grain.
Specific Responsibilities of DA (Sec 16)

• Bureau of Animal Industry (BAI)
  • For food derived from animals including eggs and honey production

• National Dairy Authority (NDA)
  • For milk production and post harvest handling

• National Meat Inspection Service (NMIS)
  • For meats

• Bureau of Fisheries and Aquatic Resources (BFAR)
  • For fresh fish and other seafoods including those grown by aquaculture
Specific Responsibilities of DA (Sec 16)

• Bureau of Plant Industry (BPI)
  • For plant foods

• Fertilizer and Pesticide Authority (FPA)
  • For pesticides and fertilizers used in the production of plant and animal food

• Philippine Coconut Authority
  • For fresh coconut
Specific Responsibilities of DA (Sec 16)

- Sugar Regulatory Administration
  - For sugar cane production and marketing

- National Food Authority (NFA)
  - For rice, corn, and other grains
Specific Responsibilities of DA (Sec 16)

- Bureau of Agriculture and Fisheries Standards (BAFS)
  - Develop food safety standards for fresh plant, animal, fisheries and aquaculture foods

- Food Development Center (FDC) of the NFA
  - Provide scientific support in testing, research and training
Department of Health

- Principal Responsibility [Sec 15(b)]:
  i. Processed and pre-packaged foods
  ii. Foods locally produced or imported under this category
  iii. Conduct of monitoring and epidemiological studies on food-borne illnesses
• **Processing** refers to any action that substantially alters the initial raw materials or product or ingredients including, but not limited to, heating, smoking, curing, maturing, drying, marinating, extraction, extrusion and a combination of those processes intended to produce food.
Specific Responsibilities of DOH (Sec 18)

- Ensure the safety of all food processing and product packaging activities
- FDA-CFRR – responsible for implementing a performance-based food safety control management system which shall include:
  - Development of food standards and regulations;
Specific Responsibilities of DOH (Sec 18)

- FDA-CFRR – responsible for implementing a performance-based food safety control management system which shall include:
  - Post marketing surveillance;
  - Enforcement of HACCP and other risk-based food control measures;
Specific Responsibilities of DOH (Sec 18)

- FDA-CFRR – responsible for implementing a performance-based food safety control management system which shall include:
  - Strong participation in Codex and other international standard setting bodies;
  - Communication of risk and development of interactive exchange among stakeholders;
Specific Responsibilities of DOH (Sec 18)

- FDA-CFRR – responsible for implementing a performance-based food safety control management system which shall include:
  - Establishment of laboratories for food safety and strengthening the capabilities of existing laboratories;
Specific Responsibilities of DOH (Sec 18)

FDA-CFRR – responsible for implementing a performance-based food safety control management system which shall include:

- Development of database of food safety hazards and food-borne illness from epidemiological data;
- Strengthening R&D capabilities on product safety and quality; and
- Certification of food safety inspectors.
Specific Responsibilities of DOH (Sec 18)

- Bureau of Quarantine – sanitation and food safety in both domestic and international ports and airports of entry
- National Epidemiology Center (NEC), Research Institute of Tropical Medicine (RITM) and the National Center for Disease Prevention and Control (NCDPC) – conduct and document epidemiological monitoring studies on food-borne illnesses
Specific Responsibilities of DOH (Sec 18)

- National Center for Health Promotion – advocates food safety awareness, information and education to the public
- NCDPC – help ensure safety of food, risk reduction in food contamination and food borne diseases.
• Food Safety Regulatory Agencies
  ❖ Local Government Units
    ▪ Principal Responsibility [Sec 15(c)]:
      i. food safety in food businesses
      ▪ activities in slaughterhouses, dressing plants, fish ports, wet markets, supermarkets, school canteens, restaurants, catering establishments and water refilling stations
      ii. street food sale, including ambulant vending
• Food Safety Regulatory Agencies
  ❖ Department of Interior and Local Government
    ▪ Principal Responsibility [Sec 15(d)]:
      i. supervise the enforcement of food safety and sanitary rules and regulations
      ii. inspection and compliance of business establishments and facilities within its territorial jurisdiction

Stakeholders involve in Food Safety
Specific Responsibilities of LGU and DILG (Sec 19)

- LGUs- enforcement of the “Code on Sanitation of the Philippines” (Presidential Decree No. 856, December 23, 1975), food safety standards and regulations. It include:
  - Sanitation in public markets, slaughterhouses, micro and small food processing establishments and public eating places

Stakeholders involve in Food Safety
**Specific Responsibilities of LGU and DILG (Sec 19)**

- LGUs - xxx xxxx. It include:
  - Codes of Practice for production, post harvest handling, processing and hygiene;
  - Safe use of food additives, processing aids and sanitation chemicals; and
  - Proper labelling of prepackaged foods.

**Stakeholders involve in Food Safety**
Delineation of Jurisdiction from Farm to Plate Chain

Farm
- Primary Production
- Post Harvest
- Imported Fresh Agricultural products

Processing-Distribution
- Manufacturer/Processor
- Distributor (Importer/Exporter/wholesaler)

- Domestic/International Ports & Airports of entry
- In-flight catering Food service Establishments
- Sea vessels and Aircraft

Retailers, Fast Food Establishments, Ambulant Vendors
- wet market, water refilling station, restaurant, street food, ambulant vending, school canteen etc.

CONSUMERS

DA Jurisdiction
FDA-DOH Jurisdiction
BOQ-DOH Jurisdiction
LGU Jurisdiction

FDC-NFA – provides scientific support in testing, research and training

NEC & RITM: Conduct epidemiological monitoring studies on FBD for use in risk-based policy formulation

NCDPC Strategize actions on FS to reduce the risk of food contamination and FBD, address micronutrient deficiencies and NCD

Jurisdiction

NEC & RITM
- provides scientific support in testing, research and training

FDC-NFA
- provides scientific support in testing, research and training

FDA-DOH
- jurisdiction for processing and distribution

BOQ-DOH
- jurisdiction for transportation and international ports

LGU
- jurisdiction for retailers and ambulant vendors

DA
- jurisdiction for farm production

DA, FDA-DOH, BOQ-DOH
- jurisdiction for food service establishments

CONSUMERS
- wet market, water refilling station, restaurant, street food, ambulant vending, school canteen etc.

FDC-NFA
- provides scientific support in testing, research and training

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DA, FDA-DOH, BOQ-DOH
- jurisdiction for food service establishments

CONSUMERS
- wet market, water refilling station, restaurant, street food, ambulant vending, school canteen etc.
SHARED RESPONSIBILITIES OF GOVERNMENT AGENCIES

DA, DOH, DILG, LGU
• The **DILG**, in collaboration with DA, DOH
  *enforcement* of food safety and sanitary rules and regulations within its territorial jurisdiction

• The **LGUs** (as needed by the DOH and DA)
  *to assist in the *implementation* of food laws, other relevant regulations

**SHARED RESPONSIBILITIES**
• **The DA and the DOH**

*shall** capacitate the DILG and LGUs through provision of the necessary technical assistance in the implementation of their food safety functions under their jurisdiction

*shall periodically assess the effectiveness of these training programs in coordination with the DILG*
The DA and the DOH (in cooperation with the LGUs)

*monitor the presence of contaminants in food to determine food safety hazards in the food supply chain.

**SHARED RESPONSIBILITIES**
Food Safety Regulation Coordinating Board (FSRCB)
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<th>Chair</th>
<th>DOH Secretary</th>
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<td>• Alternate Chair</td>
<td>FDA Director General</td>
</tr>
<tr>
<td>Co-Chair</td>
<td>DA Secretary</td>
</tr>
<tr>
<td>• Alternate Co-Chair</td>
<td>DA Undersecretary for Policy and Planning, R&amp;D and Regulations</td>
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**Members**

- Heads of the FSRAs of the DA
- Director of the FDA Center for Food Regulation and Research
- Representative Field Operator of the DILG with the rank of a Director
- Heads of Leagues of Barangays, Municipalities, Cities and Provinces
- Representative from the DTI with the rank of a Director
- Representative from the DOST with the rank of a Director
POWERS AND FUNCTIONS

- Monitor and coordinate the performance and implementation of the mandates of the DA, the DOH, the DILG and the LGUs in food safety regulation;

- Identify the agency responsible for enforcement based on their legal mandates when jurisdiction over specific areas overlap;

- Coordinate crisis management and planning during food safety emergencies;

- Establish the policies and procedures for coordination among agencies involved in food safety.

Food Safety Regulation
Coordinating Board
Powers and functions

• Continuously evaluate the effectiveness of enforcement of food safety regulations and research training programs

• Regularly submit reports to the Congressional Committees on Health, Agriculture and Food, and Trade and Industry; and

• Accept grants and donations from local and international sources
CRISIS MANAGEMENT (ARTICLE VII)

- Rapid alert system will be put in place (Sec 23)
- Emergency Measures (Sec 24)
- Plan for Crisis Management (Sec 25)
IMPLEMENTATION OF FOOD SAFETY REGULATIONS

- Policies on Official Controls (Sec 26)
- Traceability (Sec 27)
- Licensing; and Registration of Establishments (Sec 28)
- Inspection of Food Business Operators (Sec 29)
- Food Testing Laboratories (Sec 30)

Overview: Food Safety Act
TRAINING AND CONSUMER EDUCATION

- Skills training of food business operators
- Mandatory training on safe food handling and similar courses
- Training on the scientific basis and conduct of official controls
- DA, DOH, LGUs DepEd partnership (Consumers)

Overview: Food Safety Act
Surveillance and Research

- Development and implementation of programs on cost effective technologies and codes of practice

Penalties

- Fines of 50,000 pesos to 300,000 pesos
- Suspension of appropriate authorization to conduct business/prepare food.

Overview: Food Safety Act
SEC. 37. Prohibited Acts. – It shall be unlawful for any person to:

(a) Produce, handle or manufacture for sale, offer for sale, distribute in commerce, or import into the Philippines any food or food product which is not in conformity with an applicable food quality or safety standard promulgated in accordance with this Act;

(b) Produce, handle or manufacture for sale, offer for sale, distribute in commerce, or import into the Philippines any food or food product which has been declared as banned food product by a rule promulgated in accordance with this Act;
SEC. 37. Prohibited Acts. – It shall be unlawful for any person to:

(c) Refuse access to pertinent records or entry of inspection officers of the FSRA;

(d) Fail to comply with an order relating to notifications to recall unsafe products;

(e) Adulterate, misbrand, mislabel, falsely advertise any food product which misleads the consumers and carry out any other acts contrary to good manufacturing practices;

(f) Operate a food business without the appropriate authorization;
SEC. 37. Prohibited Acts. – It shall be unlawful for any person to:

(g) Connive with food business operators or food inspectors, which will result in food safety risks to the consumers; and

(h) Violate the implementing rules and regulations of this Act.
• Any director, officer or agent of a corporation who shall authorize, order or perform any of the acts or practices constituting in whole or in part a violation of the prohibited acts, and who has knowledge or notice of noncompliance received by the corporation from the concerned department, shall be subjected to the penalties.
<table>
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<th>Violation Resulting to slight Physical Injury***</th>
<th>Fine</th>
<th>Relevant Authorization</th>
<th>Additional Penalty</th>
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<td>1st Conviction</td>
<td>50K-100K</td>
<td>Suspension for 1 mo</td>
<td>None</td>
</tr>
<tr>
<td>2nd Conviction</td>
<td>100K-200K</td>
<td>Suspension for 3 mos</td>
<td>None</td>
</tr>
<tr>
<td>3rd Conviction</td>
<td>200K-300K</td>
<td>Suspension for 6 mos</td>
<td>None</td>
</tr>
<tr>
<td>Violation Resulting in less serious to serious Physical Injury***</td>
<td>200K-300K</td>
<td>Suspension for 6 mos</td>
<td>Hospitalization and rehabilitation</td>
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<tr>
<td>Violation Resulting to Death***</td>
<td>300K-500K</td>
<td>Permanent revocation</td>
<td>Imprisonment</td>
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Penalties and Sanction
Thank You