



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

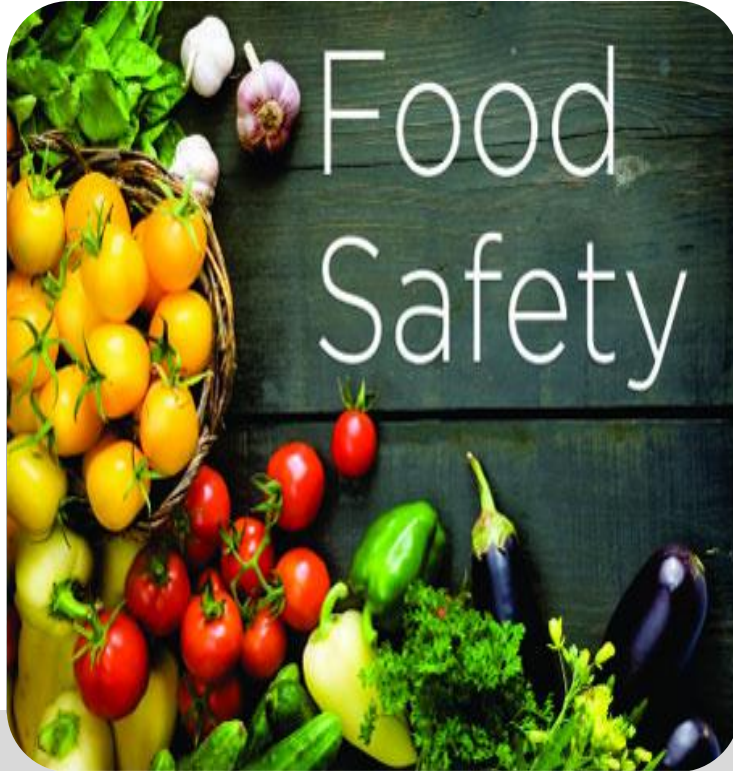
Republic Act No. 10611

- 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

Article	Title
I	Title, Declaration of Policy and Objectives
II	Definition of Terms
III	Basic Principles of Food Safety
IV	General Principles
V	Responsibilities on Food Safety
VI	Food Safety Regulation Coordinating Board (FSRCB)
VII	Crisis Management
VIII	Implementation of Food Safety Regulations
IX	Training and Consumer Education
X	Food-borne Illness Monitoring, Surveillance and Research
XI	Policy on Fees
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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 involve

- **Food Business Operators (FBO)**
in Food Safety

- ❖ 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.

SPECIFIC REQUIREMENTS FOR FBOS

- **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

SPECIFIC REQUIREMENTS FOR FBOS

- 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.

SPECIFIC REQUIREMENTS FOR FBOS

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)

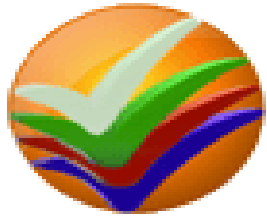


- Sugar Regulatory Administration
 - For sugar cane production and marketing



- 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

MANDATE

- **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

Stakeholders involve in Food Safety



- 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

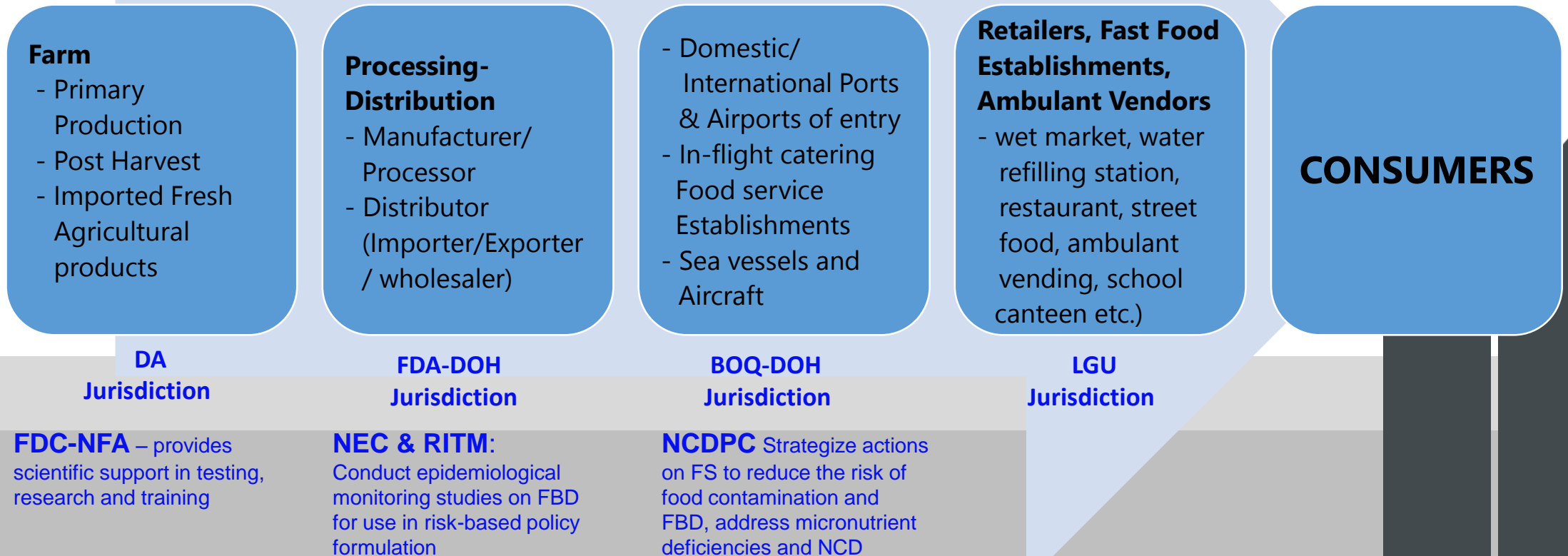
Stakeholders involve in Food Safety

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



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

SHARED RESPONSIBILITIES

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)

Chair	DOH Secretary
• Alternate Chair	FDA Director General
Co-Chair	DA Secretary
• Alternate Co-Chair	DA Undersecretary for Policy and Planning, R&D and Regulations

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



FSRCB

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

**Food Safety Regulation
Coordinating Board**

CRISIS MANAGEMENT (ARTICLE VII)

- ❖ Rapid alert system will be put in place (Sec 23)
- ❖ Emergency Measures (Sec 24)
- ❖ Plan for Crisis Management (Sec 25)

Overview: Food Safety Act

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;

Prohibited Acts

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;

Prohibited Acts

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.

Prohibited Acts

- 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.

Prohibited Acts

	Fine	Relevant Authorization	Additional Penalty
1st Conviction	50K-100K	Suspension for 1 mo	None
2nd Conviction	100K-200K	Suspension for 3 mos	None
3rd Conviction	200K-300K	Suspension for 6 mos	None
Violation Resulting to slight Physical Injury***	200K-300K	Suspension for 6 mos	Hospitalization and rehabilitation
Violation Resulting in less serious to serious Physical Injury***	200K-300K	Suspension for 12 mos	Hospitalization and rehabilitation
Violation Resulting to Death***	300K-500K	Permanent revocation	Imprisonment

Penalties and Sanction



Thank You