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Republic Act No. 9296 May 12, 2004

"AN ACT STRENGTHENING THE MEAT INSPECTION SYSTEM IN THE COUNTRY,
ORDAINING FOR THIS PURPOSE A "MEAT INSPECTION CODE OF THE
PHILIPPINES" AND FOR OTHER PURPOSES"

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

Section 1. Short Title. - This Act shall be known as "The Meat Inspection Code of the Philippines."

CHAPTER I

DECLARATION OF POLICY AND DEFINITIONS

Section 2. Declaration of Policy. - it is hereby the policy of the State:

a) to promulgate specific policies and procedures governing the flow of food animals, meat and meat products through the various stages of marketing and the proper preservation and inspection of such products;

b) to ensure food security and provide safety and quality standards for consumer products related to agriculture to assure the protection of the public against unreasonable risks of injury and hazards to health;

c) to support local government units in their endeavor to be self - reliant and to continue exercising the powers and discharging the duties and functions currently vested upon them;

d) to strengthen and harmonize various issuances on meat establishment operations and meat inspection and at the same time create a favorable climate of investment to encourage the meat and poultry industry to put up world class meat establishments;

e) to promote the application of risk analysis based on accepted scientific methodology on applied food safety standards so as to assure a safe and wholesome meat supply.

f) to support the development of the livestock and poultry industry and promote animal health by preventing the entry of disease - carrying animals, and surveillance of zoonotic and reportable diseases in meat establishments; and

g) to strengthen existing rules and regulations governing meat importation to make them comprehensive, clear and transparent and ensure the safety and quality of imported meat and meat products through inspection and documentation.

Section 3. Principles and Objectives. - The State shall ensure the protection of human and animal health against direct and indirect hazards, and in particular the protection of:

a) Consumers against zoonotic diseases, meat-borne infection, intoxication and hazards associated with residue from treatment or exposure of the slaughter animal;

b) Meat handlers against occupational zoonoses;

c) Livestock against the spread of infections, intoxications and other diseases of socio-economic importance as detectable at meat inspection and as consistent with the relevant animal health regulations; and

d) Consumers and the meat processing industry against economic losses from meat of inferior quality or abnormal properties.

Section 4. Definition of Terms. - As used in this Code, the following terms, words and phrases shall be construed to mean as follows:

1. Abattoir or slaughterhouse - premises that are approved and registered by the controlling authority in which food animals are slaughtered and dressed for human consumption;

2. Accredited - The power of the National Meat Inspection Service (NMIS) to give authority to (a) any meat establishment engaged in the slaughtering operation, preparation, processing, manufacturing, storing, or canning of meat and meat products for commerce, (b) any importer, exporter, broker, trader or meat handler (c) any meat vehicle or conveyance (d) any person firm, corporation as provider of government services such as independent or third party service providers, or independent or audit agencies;

3. Adulterated - carcasses, or any part thereof, whether meat or meat product under one or more of the following categories;

a) if it bears or contains any poisonous or deleterious substance which may render it injurious to health of the public; but in case the substance is not an added substance, such meat and meat product shall not be considered adulterated under this clause if the quantity of such substance does not ordinarily render it injurious to health of the public;

b) if it bears or contains any added poisonous or deleterious substance other than one which is (i) a pesticide chemical in or on a raw agricultural commodity, (ii) a food additive, (iii) a color additive, for which tolerances have been established and it conforms to such tolerances;

c) if it consists in whole or in part of a filthy, putrid or decomposed substance, or if it is otherwise unfit for human consumption;

d) if it has been prepared, packed or held under unsanitary conditions whereby it may have been contaminated with filth or whereby, it may have been rendered injurious to the health of the public;

e) if it is, in whole or in part, the product of a diseased animal or of an animal which has died other than slaughter;

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

g) if its has been intentionally subjected to radiation, unless the use of the radiation was in conformity with an existing regulation or exemption;

h) if any valuable constituent has been in whole or in part omitted or abstracted therefrom; or if any substance has been substituted, wholly or in part; or if damage or inferiority has been concealed in any manner; or 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;

i) if it has not been prepared in accordance with current acceptable manufacturing practice as promulgated by the Secretary by way of regulations; or

j) if it has passed its expiry date.

4. Board - the Meat Inspection Board of the NMIS as created under Section 6 hereof;

5. Canning - the preservation of meat in hermetically sealed containers;

6. Capable of Use as Human Food - shall apply to any carcass or any part of a carcass, of any animal unless it is denatured or otherwise identified as required by regulations prescribed by the Secretary to deter its use as human food, or it is naturally inedible by humans;

7. Carcass - the body of any slaughtered animal after bleeding and dressing;

8. Commence - meat trade between a province within the Philippines and any place outside thereof;

9. Controlling Authority - the official authority charged by the government with the control of meat hygiene and meat inspection;

10. Deputation - the authority of the NMIS to allow inspectors and meat control officers employed by the local government units to perform the duties of an inspector or meat control officer of the NMIS;

11. Disease or Defect - a pathological change or other abnormality;

12. Firm - any partnership, association, or other unincorporated business organization;

13. Fit for Human Consumption - meat that has passed and appropriately branded by an inspector as safe and wholesome and in which no changes due to disease, decomposition or contamination have subsequently been found;

14. Fresh Meat - meat that has not yet been treated in any way other than by modified atmosphere packaging or vacuum packaging to ensure its preservation except that if it has been subjected only to refrigeration, it continues to be considered as fresh;

15. Food Animal - all domestic animals slaughtered for human consumption such as but not limited to cattle, carabaos, buffaloes, horses, sheep, goats, hogs, deer, rabbits, ostrich and poultry;

16. Inspected and Passed - a condition wherein the carcasses or parts of carcasses so marked have been inspected and found to be safe, wholesome and fit for human consumption;

17. Inspected and Condemned - a condition wherein the carcasses or parts of carcasses so marked have been inspected and found to be unsafe, unwholesome and unfit for human consumption;

18. Inspection - an act by an official inspector to ensure compliance with rules and regulations including but not limited to humane handling of slaughter animals, ante and post mortem inspection, quality assurance program, hygiene and sanitation program, good manufacturing program, sanitation standard operating procedures, hazard analysis critical point program on any meat and meat product, meat establishment facilities, transport vehicles and conveyance;

19. Inspector - a professionally qualified and properly trained officer, duly appointed by the NMIS or the local government unit for meat inspection and control of hygiene under the supervision of a veterinary inspector;

20. Label - a display of written, printed, or graphic matter upon the immediate container (not including package liners) of any article;

21. Meat - refers to the fresh, chilled or frozen edible carcass including offal derived from food animals;

22. Meat Broker - any person, firm or corporation engaged in the business of buying or selling carcasses, parts of carcasses, meat, or meat food products of food animals on commission, or otherwise negotiating purchases or sales of such articles other than for his own account or as an employee of another person, firm or corporation;

23. Meat Establishment - premises such as slaughterhouse, poultry dressing plant, meat processing plant, cold storage, warehouse and other meat outlets that is approved and registered by the NMIS in which food animals or meat products are slaughtered, prepared, processed, handled, packed or stored;

24. Meat Inspection System - a system to ensure the safety and quality of meat and meat products for human food including but not limited to humane handling of slaughter animals, ante-mortem and post-mortem inspection, Quality Assurance Program, Hygiene and Sanitation Program, Good Manufacturing Practices, Sanitation Standard Operating Procedures, Hazard Analysis Critical Control Point Program, and Residue Control Program, of a country. It covers regulatory activities such as registration, licensing, accreditation, and enforcement of regulations and supported by laboratory examination;

25. Meat Product - any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any food animals, excepting products which contain meat or other portions of such carcasses only in a relatively small proportion or historically have not been considered by consumers as products of the meat industry, and which are exempted from definition as a meat product by the Secretary under such conditions as he may prescribe to assure that the meat or other portions of such Carcasses contained in such product are not adulterated and that such products are not represented as meat products;

26. Misbranded - this term shall apply to any carcass, part thereof, meat or meat products where one or more of the following circumstances as defined under the R.A. No. 7394 (Consumer Act of the Philippines) is present:

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

b) if it is offered for sale under the name of another meat or meat product;

c) if it is an imitation of another meat or meat product, unless its label bears, in type of uniform size and prominence, the word "imitation" and immediately thereafter, name of the meat or meat product imitated;

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

e) if in a package or other container unless it bears a label showing (1) the name and place of business of the manufacturer, packer, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: Provided, That

under clause (2) of this subparagraph (e), reasonable variations may 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 chapter to appear on the label or other 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 meat or meat product for which a definition and standard of identity or composition has been prescribed by regulations of the Secretary under this title unless (1) it conforms with such definition and standard, and (2) its label bears the name of the meat or meat product 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 meat product;

h) if it purports to be or is represented as a meat or meat product for which a standard or standards of fill of container have been prescribed by regulations of the Secretary under this title 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 standards;

i) if it is not subject to the provisions of subparagraph (g), unless its label bears (a) the common or usual name of meat products, if any there be, and (b) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavorings, and coloring may, when authorized by the Secretary, be designated spices, flavorings, and colorings without naming each: Provided, That to the extent that compliance with the requirements of clause (b) of this subparagraph (i) 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 use, unless its label bears such information concerning its vitamin, mineral, and other dietary properties as determined by the Secretary, and by regulations prescribed as necessary in order to fully 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 subparagraph (k) is impracticable, exemptions shall be established by the regulations promulgated by the Secretary; or

l) if it fails to bear, directly on its container, as the Secretary may by regulations prescribe, the inspection mark or legend and, unrestricted by any of the foregoing, such other information as the Secretary may require in such regulations to assure that it will not have false or misleading labeling and that the public will be informed of the manner of handling required to maintain the article in a wholesome condition.

27. Official Certificate - any certificate prescribed by the Secretary for issuance by an inspector or other person performing official functions under this chapter;

28. Official Device - any device prescribed by the Secretary for use in applying any official mark;

29. Port of Inspection - an establishment authorized or designated by the NMIS within a certain kilometer radius from the port of entry, wherein inspection and collection of samples is being conducted prior to its release for domestic distribution;

30. Prepared - slaughtered, canned, salted, rendered, boned, cut up, or otherwise manufactured or processed;

31. Processed - includes all methods of manufacture and preservation but does not include prepackaged fresh, chilled or frozen meat;

32. Residue - any Foreign substance including metabolites, therapeutic or prophylactic agents which are objectionable or hazardous to human health remaining in the meat or meat products as a result of treatment or accidental exposure;

33. Risk Analysis - a process consisting of three (3) components that includes risk assessment, risk management and risk communication, all of which are essential to the

decision making process that determines acceptable levels or risk, and the implementation of those decisions;

34. Safe and Wholesome - refers to meat and meat products that has been passed as fit for human consumption using the criteria that it (a) will not cause food borne infection or intoxication when properly handled and prepared with respect to the intended use, (b) does not contain residue in excess of set limits, (c) is free of obvious contamination, (d) is free of defects that are generally recognized as objectionable to consumers, (e) has been produced under adequate hygiene control, and (f) has not been treated with illegal substances as specified in this Act and in other related national legislation;

35. Secretary - refers to the Secretary of the Department of Agriculture and Chairman of the National Meat Inspection Service;

36. Veterinary Inspector or Meat Control Officer - an inspector who is professionally qualified as a veterinarian duly appointed by the NMIS or the local government unit responsible for the supervision and control of meat hygiene including meat inspection.

CHAPTER II

INSTITUTION

Section 5. The National Meat Inspection Service (NMIS). - The National Meat Inspection Commission renamed as the National Meat Inspection Service (NMIS) shall serve as the sole national controlling authority on all matters pertaining to meat and meat product inspection and meat hygiene. It shall be a specialized regulatory service attached to the Department of Agriculture.

Section 6. The Meat Inspection Board. - There is hereby created a Meat Inspection Board under the NMIS who shall assist in the formulation of policies and guidelines and advise the Chairperson on all matters pertaining to meat inspection and meat hygiene. The Board shall be composed of the following or their duly designated representatives:

1. The Secretary of the Department of Agriculture, as Chairperson;

2. The Executive Director of the National Meat Inspection Service;
3. The Director of the Bureau of Animal Industry;
4. The Executive Director of the Bureau of Food and Drugs;
5. The Director of the Bureau of Local Government Development;
6. Representative from a consumer organization duly recommended by the National Consumer Affairs Council, and
7. The Director of the Bureau of Agriculture and Fisheries Product Standards.

Section 7. Composition of the NMIS. - The NMIS shall be headed by an Executive Director, The administrative, technical and support services of the NMIS shall be strengthened as may be appropriate and necessary to carry out effectively the provisions of this Act.

Section 8. Powers and Functions of NMIS. - The NM IS shall be vested with the following powers and functions:

- 1) Formulate and issue and implement jointly with the appropriate local government units national policies, guidelines, rules and regulations and programs including but not limited to:
 - a) establishing safety and quality standards for meat and meat products in consultation with the product standard setting agencies;
 - b) adopting measures to ensure pure, wholesome and safe supply of meat and meat products of the country;

c) accrediting establishment, facilities, conveyance and service providers for Hazard Analysis Critical Control Point Program (HACCP) audit;

d) licensing of meat inspectors and registration of meat handlers;

e) licensing, registration and certification of meat handlers and meat brokers;

f) licensing, registration and certification of meat and meat products;

g) implementing standards prescribed by the Bureau of Agriculture and Fisheries Product Standards (BAFPS) on labeling, advertising and promotion of meat and meat products.

2) Supervise and control meat inspection in all meat establishments engaged in domestic and international meat trade;

3) Evaluate, classify and accredit local and foreign meat establishments as to compliance to hygiene and sanitation standards;

4) Foster effective exchange of information and coordination of programs, projects and activities among various agencies;

5) Undertake training of all persons employed in meat inspection work;

6) Recommend measures to professionalize the meat inspection service to the Professional Regulation Commission;

7) Seek the assistance of any department, bureau, office, agency or instrumentality of the government or other private entities and organizations for cooperation in the performance of its functions.

Section 9. Regional Technical Operation Centers. - Upon the effectivity of this Act, the existing regional offices of the NMIS shall be scaled down and transformed into meat laboratories and technical operation centers to be manned by a minimum number of medical and technical personnel whose qualifications shall be determined by the Secretary of Agriculture to effectively carry out the provisions of this Act. Within two (2) years from the effectivity of this Act the functions of the aforementioned regional/technical operations centers of the NMIS shall be transferred or devolved to the provincial government where said offices are located: Provided, That the Provincial Meat Inspection Service are certified to be compliant with national standards. However, certification for international trade shall remain with the NMIS.

CHAPTER III

RESPONSIBILITIES OF THE LOCAL GOVERNMENT UNITS

Section 10. Regulation by Local Government Units. - The local government units, pursuant to the provisions of Republic Act 7160 otherwise known as the Local Government Code and Executive Order No. 137, shall regulate the construction, management and operation of slaughterhouses, meat inspection, meat transport and post-abattoir control, monitor and evaluate and collect fees and charges in accordance with the national policies, procedures, guidelines, rules and regulations and quality and safety standards as promulgated by the Secretary.

Section 11. Implementation by the Local Government Units. - The local government units shall have full and complete authority over the activities mentioned in the immediately preceding section as the authority to evaluate and implement duly prescribed national meat standards within their respective territorial jurisdiction.

In order to improve slaughter facilities and strengthen local meat inspection services, the share of the local government units with regard to ante- and post-mortem fees collection to the provision of the Local Government Code and Executive Order No. 137 shall be retained.

For the same purposes, an amount equivalent to twenty percent (20%) of amounts collected from fees, fines and other charges by the NMIS mentioned in Sections 46 and 56 hereof in the enforcement and implementation of national meat standards shall, except for a reasonable fee for services rendered, automatically inure to local government units which shall retain said amount at source.

Section 12. Incentive for Local Government Units. - The local government units shall endeavor to improve existing meat facilities to comply with national standards. The national government shall allocate funds as incentive equivalent to the funds available from local government units for this purpose.

CHAPTER IV

SCOPE OF MEAT INSPECTION

Section 13. Scope of Application. - This Code shall apply to all meat establishments where food animals are slaughtered, prepared, processed, handled, packed or stored or sold. All slaughterhouses and poultry dressing plants shall ensure adequate protection and welfare of food animals while awaiting slaughter in order to avoid mishandling or the infliction of unnecessary pain or distress during the slaughtering process..

Section 14. Authorized Officers to Conduct Meat Inspection. - Only meat control officers, deputized meat control officers, meat inspectors and deputized meat inspectors duly appointed and designated by the NMIS or local government units are authorized to conduct meat inspection work. All persons employed in meat inspection work shall undergo training conducted by the NMIS..

Section 15. Power to Enforce Hygienic Requirements. - The NMIS shall have the responsibility to ensure, and to enforce, that meat establishments are operated in accordance with hygienic requirements..

Section 16. Humane Slaughter, Hygienic and Inspection Requirements. - The management or operator of the meat establishments shall follow the instructions of the NMIS as related to humane slaughter of animals, hygienic and inspection requirements, and shall provide such information and assistance, as may be reasonably requested by the NMIS or the local government unit..

CHAPTER V

A. ANTE-MORTEM INSPECTION

Section 17. Requirement of An Ante-Mortem Inspection. - An ante-mortem inspection shall be made of food animals by authorized inspectors before it shall be allowed for slaughter in any city, municipal or licensed private abattoirs in which the meat or meat products thereof are to be sold.

Section 18. Outright Condemnation. - Any animal manifesting during ante-mortem inspection any disease or condition that shall warrant outright condemnation shall be marked "CONDEMNED", isolated immediately and disposed of under the supervision of an inspector.

Section 19. Humane Handling and Slaughtering. - For the purpose of preventing the inhumane slaughtering of food animals under Republic Act No. 8485, otherwise known as the Animal Welfare Act, inspectors shall conduct an examination and inspection of the method by which food animals are slaughtered and handled in meat establishments inspected under this Act.

Section 20. Refusal to Allow Inspection. - The Secretary may refuse to allow inspection to a new slaughtering meat establishment or may cause inspection to be temporarily suspended in any establishment if the Secretary finds that food animals have been slaughtered or handled by any method not considered humane under the Animal Welfare Act, until the establishment furnishes satisfactory assurance that all slaughtering and handling shall be in accordance with such a method.

B. POST-MORTEM INSPECTION

Section 21. Post-Mortem Inspection. - The inspectors shall conduct, a post-mortem examination and inspection of the carcasses and parts thereof of all food animals prepared at any establishment as articles of commerce which are capable of use as human food.

Section 22. Proper Marketing of Carcasses. - The carcasses and parts thereof of all such animals found not to be adulterated shall be marked, stamped, tagged or labeled as "Inspected and Passed" Said inspectors shall label, mark, stamp or tag as "Inspected and Condemned" all carcasses and parts found to be adulterated. All carcasses and parts thereof marked "Inspected and Condemned" shall be destroyed for food purposes by the said establishment in the presence of an inspector.

Section 23. Re-Inspection. - The inspectors shall re-inspect carcasses and parts thereof when necessary to determine whether the meat has become adulterated after the first inspection. If found to be adulterated on subsequent examination and inspection, the establishment shall destroy for food purposes, all carcasses and parts thereof in the presence of an inspector.

Section 24. Extent of Application. - The foregoing provisions shall apply to all carcasses or parts of carcasses of food animals or the meat and meat products thereof which may be brought into any meat processing, meat canning, packing or similar establishment and such examination and inspection shall be done before the said carcasses or parts thereof shall be allowed to be treated, processed or prepared.

Section 25. Entry of Material into the Meat Establishments. - The Secretary may limit the entry of carcasses, parts of carcasses, meat and meat products and other materials into any meat establishment at which inspection under this Act is maintained, under such conditions as may be prescribed to assure that allowing the entry of such articles into such inspected establishments will be consistent with the purposes of this Act.

Section 26. Access to Meat Establishments. - The inspectors shall conduct an examination and inspection of all meat and meat products prepared for commerce in any slaughtering, meat canning, salting, packing, rendering, or similar establishment, and for that purpose, shall have access at all times, day or night, whether the establishment is in operation or not, to every part of said establishment.

Section 27. Marking of Inspected Products. - The inspectors shall mark, stamp, tag, or label as "Inspected and Passed" or "Inspected and Condemned" all such products found to be unadulterated or adulterated as the case may be. Condemned meat Products shall be destroyed for food purposes: Provided, That subject to the rules and regulations under this Act, the provisions hereof in regard to preservatives shall not apply to meat products for export to any foreign country and which are prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is to be exported.

Section 28. Veterinary Quarantine Clearance. - No veterinary quarantine clearance issued by the National Veterinary Quarantine Service shall be given to any vessel having on board any meat and meat products for export to and sale in a foreign country from any port in the

Philippines until the owner or shipper thereof shall obtain from the NMIS a certificate that the said food animal is free from dangerous and communicable diseases at the time of inspection, and that the meat therefrom is safe and wholesome. The Secretary may waive the requirements of such certificate in favor of the country to which said meat and meat products are to be exported.

Section 29. Official Certificates of the Condition of the Animals. - The veterinary inspectors provided for herein shall be authorized to give official certificates of the condition of food animals, their carcasses and products as herein described, and one (1) copy of every certificate granted under the provisions of this Act shall be filed with the NMIS, another copy shall be given to the owner or shipper, and when the meat and meat products are sent abroad, a third copy shall be attached to veterinary quarantine clearance.

Section 30. Sale and Transport of Properly Labeled Carcasses. - No person, firm or corporation shall sell, transport, offer for sale or transportation, or receive for transportation, in commerce, any carcasses of food animals, or the meat or meat products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the Secretary to show the kind of animals from which they were derived.

Section 31. Absence of Ante-Mortem Inspection. - The inspectors shall seize, confiscate, condemn or dispose of carcasses or parts thereof of food animals that is sold, transported, distributed, offered or received for distribution in commerce that has not passed through ante-mortem inspection. Carcasses or parts thereof are considered "hot meat" and if found to be fit for human use during examination shall be disposed of as provided in the Implementing Rules and Regulations of this Act.

CHAPTER VI

INSPECTION OF IMPORTED MEAT AND MEAT FOOD PRODUCT

Section 32. Examination and Laboratory Analysis. - The NMIS shall conduct examination and when necessary, laboratory analysis of imported meat and meat products after the products are approved for release by the National Veterinary Quarantine Service at the ports of entry.

Section 33. Confiscation of Meat and Meat Products. - The inspectors shall seize, recall, confiscate, condemn or dispose by destruction or re-export at the expense of the importer, any imported carcass, meat or meat products of food animals that has been prepared, sold, transported or otherwise distributed or offered or received for distribution in commerce, and found to be filthy, contaminated, adulterated or misbranded during inspection and laboratory analysis.

Section 34. Accreditation of Foreign Meat Establishments. - Meat exporters to the Philippines shall secure accreditation of foreign meat establishment at source from the Department of Agriculture before being allowed to ship meat and meat products into the country. An audit or inspection shall be done of exporters of meat and meat products in terms of their compliance with Philippine and internationally recognized standards.

Section 35. Compliance Prior to Shipment. - Meat exporters to the Philippines must comply with all other Philippine import requirements prior to the shipment of meat and meat products into the country.

Section 36. Import Requirements. - Imported meat and meat products shall be refused entry if they do not meet Philippine import requirements. The refused entry items shall be re-exported to the country of origin or destroyed at the expense of the importer or owner in order to protect public health and the local animal population.

CHAPTER VII

LABELING REQUIREMENTS

Section 37. Labeling of Meat and Meat Products. - Any meat or meat products prepared for commerce which has been inspected and marked "Inspected and Passed" shall be placed or packed in any can, pot, tin, canvas, other receptacle or covering in any establishment where inspection under the provision of this Act is maintained. The person, firm or corporation preparing said product shall cause a label to be attached to the said can, pot, tin, canvas, or other receptacle or covering, under the supervision of an inspector, which label shall slate that the contents thereof have been "Inspected and Passed" under the provision of this Act.

Section 38. Sealed Meat and Meat Products. - No examination and inspection of meat and meat products deposited or enclosed in cans, tins, pots, canvas, or other receptacle or

covering in any establishment where inspection under the provisions of this Act is maintained shall be deemed to be complete until such meat or meat products have been sealed or enclosed in said can, tin, pot, canvas, or other receptacle or covering under the supervision of an inspector.

Section 39. Distinct and Legible Labels. -All carcasses, parts of carcasses, meat and meat products inspected at any establishment and found to be not adulterated, shall at the time they leave the establishment bear, in distinctly legible form, directly thereon on their containers the information required under the provisions of this Act.

Section 40. Standards for Labeling. - The Secretary, may prescribe: (1) the styles and sizes of type to be used, with respect to material required to be incorporated in labeling to avoid false or in misleading labeling, (2) definitions and standards of identity or composition for articles and standards of fill of container for such articles consistent with any such standards required by receiving countries.

Section 41. False or Misleading Marks and Labels. - No article shall be sold or offered for sale by any person, firm or corporation, in commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size. Established trade names and other marking and labeling and containers which are not false or misleading and which are approved by the Secretary are permitted.

Section 42. Withholding False or Misleading Marks and Labels. - If the Secretary has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article is false or misleading in any particular, he may direct that such use be withheld unless the marking, labeling or container is modified in such manner as he may prescribe so that it will not be false or misleading.

CHAPTER VIII

SANITATION

Section 43. Sanitation Inspection. - The Secretary shall require a sanitation inspection to be conducted by experts/ inspectors all meat establishment to gather information concerning the prevailing sanitary conditions and from such, shall prescribe the rules and regulations under which meat establishments shall be operated and maintained. Meat and meat products

operated under sanitary conditions that render them adulterated, shall not be labeled or marked as "Inspected and Passed"

CHAPTER IX

PRODUCT QUALITY AND SAFETY

Section 44. Standards and Guidelines. - The Secretary, by way of regulation, shall adopt internationally recognized standards, recommendations, set of procedures or guidelines to further ensure the quality and safety of meat and meat products.

CHAPTER X

PRODUCT INFORMATION AND CONSUMER AWARENESS

Section 45. Information Campaign. - The NMIS shall have the responsibility to provide information and assistance to the consuming public on the proper handling and preparation, storing, processing, preservation of meat and meat products and may seek the assistance of the industry and the private sector in attaining its objectives.

CHAPTER XI

FEES AND CHARGES

Section 46. Fees. - The Secretary, by way of regulation, and after public hearing, shall prescribe and charge such reasonable fees for services rendered. Amounts collected from fees, fines and other charges by the NMIS shall be deposited with the National Treasury and shall accrue to the General Fund.

Section 47. Meat Inspection Service Development Trust Fund. - There shall be an independent and separate trust fund established under this Act, to be administered by the Meat Inspection Board. An amount not less than fifty percent (50%) for the first five (5) years, accrued from the fees, fines and charges shall be used for the purpose of the Meat Inspection Service Development Trust Fund. The fund shall be used for the continued upgrading of laboratory equipment and facilities to conform with international standards, training facilities, capability development of technical personnel, research and development,

indemnification of condemned animals during ante-mortem inspection, accreditation of foreign meat plants and other forms of assistance and support to the livestock sector. The trust fund may also accept grants and donations from national and foreign entities and individuals interested in the meat inspection development.

CHAPTER XII

PROHIBITED ACTS

Section 48. Prohibited Acts. - No person, firm or corporation shall:

- a) slaughter any food animal or prepare meat or meat product in any meat establishment except in compliance with the requirements of this Act;
- b) slaughter or handle in connection with slaughter, any food animal in a manner not considered humane;
- c) sell, transport, offer or receive for sale or transportation in commerce carcasses or parts thereof, meat or meat product required to be inspected under this Act unless they have been so inspected and passed;
- d) do any act while they are being transported in commerce or held for sale, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded.

Section 49. Printing of Official Marks. - No brand manufacturer, printer, or other person, firm, or corporation shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Secretary.

Section 50. Forging Official Marks. - No person, firm, or corporation shall - (1) forge any official device, mark, or certificate; (2) use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate; (3) contrary to the regulations prescribed by the Secretary, fail to use, or to detach, deface, or destroy any official device, mark, or certificate; (4) knowingly possess, any official device or

any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any animal, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark; (5) knowingly make any false statement in any certificate; or (6) knowingly represent that any article has been inspected and passed under this Act when, in fact, it has not been so inspected and passed.

Section 51. Absence of Ante-Mortem Inspection. - It shall be unlawful for any person, either for himself or in behalf of another person, firm or corporation or partnership to slaughter food animals which have not been submitted for ante-mortem inspection or to store, transport or sell carcasses, organs or parts thereof which have not been previously inspected and passed or have been found upon inspection to be unfit for human consumption.

Section 52. Interference in the Conduct of Inspection. - It shall be unlawful for any person, firm or corporation to resist, harass, intimidate, assault, impede or interfere with any inspector during the performance of his duties as prescribed under this Act.

Section 53. Unlawful Trading. - It shall be unlawful for any person employed by the NMIS or person employed by the local government unit for the purpose of meat inspection work, to engage directly or indirectly in the business of buying, selling and trading or otherwise negotiating purchases or sales of meat and meat products for his own account or as an employee of another person, firm or corporation.

Section 54. Unlawful Shipment. - It shall be unlawful for any shipping line or airline to accept shipment of meat and meat products for export into our country without an accompanying veterinary quarantine clearance issued by the Philippine Department of Agriculture and International Veterinary Certificate issued by the national controlling authority of the exporting country.

CHAPTER XIII

ACCESS AND EXAMINATION

Section 55. Record Keeping. - The following classes of persons, firms, and corporation shall keep such records and will fully and correctly disclose all pertinent transactions involved in their business; and all persons, firms, and corporations subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Secretary, afford

such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof - (1) any person, firm, or corporation engaged in the business of slaughtering food animals, or preparing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any such animals, for use as human food (2) any person, firm, or corporation engaged in the business of buying or selling or transporting, or storing in, or importing, any carcasses, or parts or products of carcasses, of any such animals.

CHAPTER XIV

PENALTIES AND SANCTIONS

Section 56. Administrative Fines. - The Secretary, by way of regulation, shall issue a schedule of administrative fines for violations of any provisions of this Act.

Section 57. Cease and Desist Order. - The Secretary is authorized to issue after proper notice and hearing which shall be summary in nature except in instances when the continued operation causes imminent danger to public health, a "Cease and Desist Order" to any person, firm, or corporation engaged, in the business of slaughtering food animals, or preparing, freezing, packaging, storing or labeling any carcasses or parts or products of carcasses for use as human food, found to be in violation of any of the provisions of this Act, should the continued operation of said entity, pose risk to public health and endanger the animal population.

Section 58. Confiscation. - Any carcasses, parts of carcasses or products of carcasses found to have been prepared, handled, packed, stored, transported or offered for sale as human food not in accordance with any provisions of this Act shall be confiscated and disposed of as provided in the Implementing Rules and Regulations at the expense of the person, firm or corporation found to be in violation thereof.

CHAPTER XV

TRANSITORY PROVISION

Section 59. Implementing Rules and Regulations. - The Secretary shall within ninety (90) days from the effectivity of this Act convene a technical working committee composed of representatives from the National Meat Inspection Service, Bureau of Animal Industry,

Bureau of Food and Drugs and one (1) representative each from the League of Cities and the League of Municipalities to formulate in consultation with the private sector the necessary implementing rules and regulations. The implementing rules and regulations shall be submitted to the Committee on Agriculture of both Houses of Congress for prior approval.

CHAPTER XVI

MISCELLANEOUS AND FINAL PROVISIONS

Section 60. Separability Clause. - if any portion or provision of this Code is declared invalid or unconstitutional, the other portions or provisions not affected thereby shall continue to be in full force and effect.

Section 61. Repealing Clause. - All existing laws, decrees, executive orders and rules and regulations or Parts thereof which are inconsistent with this Code, are hereby repealed or modified accordingly.

Section 62. Effectivity. - This Code shall take effect thirty (30) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation, whichever comes first.

Approved,

FRANKLIN DRILON

President of the Senate

JOSE DE VENECIA JR.

Speaker of the House of Representatives

This act is a consolidation of Senate Bill No. 2691 and House Bill No. 6587 was finally passed by the Senate and the House of Representatives on February 6, 2004 and February 7, 2004, respectively.

OSCAR G. YABES

Secretary of Senate

ROBERTO P. NAZARENO

Secretary General

House of Representatives

Approved: May 12, 2004

GLORIA MACAPAGAL-ARROYO

President of the Philippines