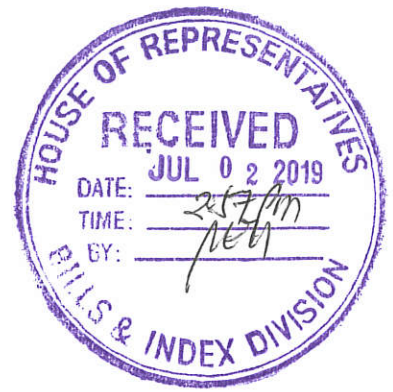


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



18TH CONGRESS
First Regular Session

HOUSE BILL NO. 979

Introduced by Honorable Michael L. Romero

EXPLANATORY NOTE

The State shall protect and uphold the right to health of the people and impart health consciousness among them.

Furthermore, the State shall protect consumers from all trade malpractices, substandard and hazardous products, safeguard the public from food-borne and water-borne illnesses and unsanitary, unwholesome, misbranded or adulterated foods.

Likewise, the State shall improve industry and consumer confidence in the food regulatory system.

Moreover, the State shall foster growth and development by promoting fair trade practices and sound regulatory foundation for domestic and international trade.

This House Bill seeks to maintain a food safety regulatory system that ensures a high level of food safety, promotes fair trade and advances the global competitiveness of Philippine foods and food products, thus providing stiffer penalties and sanctions

Thus, the early passage of this bill is earnestly requested.


MICHAEL L. ROMERO Ph.D.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

18TH CONGRESS
First Regular Session

HOUSE BILL NO. 979

Introduced by Honorable Michael L. Romero

AN ACT

AMENDING **SECTION 38 OF REPUBLIC ACT 10611**,
“OTHERWISE KNOWN AS THE **FOOD SAFETY ACT OF 2013**”, TO
FORTIFY FOOD SAFETY REGULATORY SYSTEM IN THE
COUNTRY, PROVIDING FOR STIFFER PENALTIES AND
SANCTIONS, AND FOR OTHER PURPOSES

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

SECTION 1. Section 38 of Article XII of Republic Act 10611, is hereby amended to read:

Section 38. Penalty. – Any person who shall violate any provision of this Act shall suffer the penalties provided hereunder:

(a) For the first conviction, a fine of not less than One hundred thousand pesos (**₱100,000.00**) but not more than Two hundred thousand pesos (**₱200,000.00**) and suspension of appropriate authorization for three **(3)** months shall be imposed;

(b) For the second conviction, a fine of not less than Two hundred thousand pesos (**₱200,000.00**) but not more than Four hundred thousand pesos (**₱400,000.00**) and suspension of appropriate authorization for six (6) months shall be imposed;

(e) For the third conviction, a fine of not less than Four hundred thousand pesos (**₱400,000.00**) but not more than Six hundred thousand pesos (**₱600,000.00**) and suspension of appropriate authorization for one (1) year shall be imposed;

(d) For violation resulting in slight physical injury of a person, upon conviction, a fine of not less than Four hundred thousand pesos (**₱400,000.00**) but not more than Six hundred thousand pesos (**₱600,000.00**) and suspension of appropriate authorization for one (1) year shall be imposed. The offender shall also pay the hospitalization and rehabilitation cost of a person;

(e) For violation resulting in less serious or serious physical injury of a person, upon conviction, a fine of not less than Four hundred thousand pesos (**₱400,000.00**) but not more than Six hundred thousand pesos (**₱600,000.00**) and suspension of appropriate authorization for two (2) years shall be imposed. The offender shall also pay the hospitalization and rehabilitation cost of a person;

(f) For violation resulting in death of a person, upon conviction, the penalty of imprisonment of not less than one (1) year and one (1) day but not more than six (6) years and one (1) day and a fine of not less than Six hundred thousand pesos (**₱600,000.00**) but not more than One million pesos (**₱1,000,000.00**) and permanent revocation of appropriate authorization to operate a food business shall be imposed.

If the offender does not have the appropriate authorization, the imposable fines shall be doubled.

If the offender is a government personnel, in addition to the penalty prescribed herein, said personnel shall be subjected to the appropriate civil service laws.

If the offender is a naturalized citizen, in addition to the penalty prescribed herein, the naturalization certificate and the registration in the civil registry of said citizen shall be cancelled. Immediate deportation after payment of fine and service of sentence shall also be imposed.

If the offender is an alien, said alien shall be summarily deported after payment of fine and service of sentence and perpetually barred from entering the country.

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 Section 37 hereof, and who has knowledge or notice of noncompliance received by the corporation from the concerned department, shall be subjected to the penalties under this section.

In case the violation is committed by, or in the interest of a foreign juridical person duly licensed to engage in business in the Philippines, such license to engage in business in the Philippines shall immediately be revoked.

SECTION 2. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 3. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 4. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 6. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,