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**Of Trees and Forest**

### **Food Safety (Conclusion)**

THERE are five important features of Senate Bill No. 3311. These are as follows:

First, it delineates the mandates and responsibilities of food business operators and government agencies involved in the food sector. Emphasis is placed on their knowledge of the specific requirements and procedures of existing food laws as well as their accountability on instances of food recall, inspection, and collaboration with regulators;

Second, it provides a mechanism for coordination and accountability in the implementation of regulatory functions. Section 20 provides for the creation of the Food Safety Regulation Coordinating Board (FSRCB), whose powers and functions include the monitoring and coordinating the performance and implementation of the mandates of the agriculture, health, local government and local government units in food safety regulation; crisis management and planning during food safety emergencies; establishment of policies and procedures on food safety; and the continuous evaluation of the effectiveness of the enforcement of food safety regulations, as well as research and training programs;

Third, it lays down policies and programs for addressing food safety hazards and developing appropriate standards and control measures. A rapid alert system will be put in place in response to food safety emergencies that are likely to pose risk to human health. A tracking system will also be adopted as a control measure for food at relevant stages of production, post-harvest handling, processing, and distribution;

Fourth, it upgrades the capability of farmers, fishermen, industries, consumers, and government personnel in ensuring food safety. Section 31 provides for the regular conduct of skills training for food business operators, particularly micro, small, and medium enterprises, regarding food safety regulations and the understanding of these requirements; and

Fifth, it strengthens the scientific basis of the regulatory system. Section 34 mandates the implementation of an integrated food-borne disease monitoring system that links to the sources of food contamination, in collaboration with the National Epidemiology Center and the National Center for Disease Prevention and Control of the Department of Health. The government and the academe will develop and implement a program on cost-effective technologies and codes of practice for assisting farmers, fishermen, micro, small, and medium enterprises and other stakeholders to enable them to comply with food safety regulations.

Given that health is something we value as much as our lives, SB 3311 provides stiff penalties for those who will violate its provisions, including higher penalties in case there is physical injury or death resulting from food poisoning, or if the offender does not have appropriate authorization to engage in the food business, or if it involves a government personnel, a naturalized citizen, or an alien.

For the first conviction, the proposed law imposes a fine of not less than P50,000 but not more than P100,000 and suspension of appropriate authorization for one month shall be imposed.

For the second conviction, a fine of not less than P100,000 but not more than P200,000 and suspension of appropriate authorization for three months.

For the third conviction, a fine of not less than P200,000 but not more than P300,000 and suspension of appropriate authorization for six months.

For violation resulting in slight physical injury to a person, upon conviction, a fine of not less than P200,000 but not more than P300,000 and suspension of appropriate authorization for six months.

For violation resulting in less serious or serious physical injury to a person, upon conviction, a fine of not less than P200,000 but not more than P300,000 and suspension of appropriate authorization for one year shall be imposed.

For violation resulting in death to a person, upon conviction, the penalty of imprisonment of not less than six months and one day but not more than six years and one day and a fine of not less than P300,000 but not more than P500,000 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.

A government official or employee who is convicted under this law will, in addition to the penalty prescribed herein, also be subjected to civil service laws.

If the offender is a naturalized citizen, the naturalization certificate and the registration of the citizen shall be cancelled and he/she will be immediately deported after payment of fine and service of sentence.

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

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