

S. No 3388

H. No 5490

Republic of the Philippines
Congress of the Philippines

Metro Manila

Fifteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand twelve.

[REPUBLIC ACT NO. 10536]

AN ACT AMENDING REPUBLIC ACT NO. 9296, OTHERWISE KNOWN AS "THE MEAT INSPECTION CODE OF THE PHILIPPINES"

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

SECTION 1. Section 4 of Republic Act No. 9296, otherwise known as "The Meat Inspection Code of the Philippines", hereinafter referred to as the "Act", is hereby amended by inserting between subsections 15 and 16, to be designated as subsection 16, to read as follows:

"SEC. 4. *Definition of Terms.* -

"x x x

"16. *Hot Meat* - the carcass or parts of carcass or food animals which were slaughtered from

unregistered/unaccredited meat establishments and have not undergone the required inspection. It also includes undocumented, illegally shipped, and unregistered carcass, parts of carcass and meat products coming from other countries and those that are classified as hot meat by the National Meat Inspection Service (NMIS).”

The succeeding subsections shall be renumbered accordingly.

SEC. 2. Section 7 of the Act is hereby amended to read as follows:

“SEC. 7. *Composition of the NMIS.* – The NMIS shall be headed by an Executive Director, a Deputy Executive Director and Regional Technical Directors III, all appointed by the President. 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.

“The NMIS shall have the following divisions:

“a) Plant Operation and Inspection – which shall be responsible for the inspection and certification of meat and meat products and technical supervision of local government units (LGUs);

“b) Accreditation and Registration – which shall be responsible for the accreditation of meat establishments, rendering facilities, meat transport vehicles, meat establishment contractors, fabricators and suppliers and third party service providers and registration and certification;

“c) Enforcement and Food Defense – which shall be responsible for the enforcement of policies against hot meat and adulterated or misbranded meat products, and the protection of meat products from hazardous contaminants;

“d) Meat Import and Export Assistance and Inspection – which shall evaluate foreign meat

establishments intending to export to the Philippines, accredit meat importers and exporters, inspect imported and certify for export meat and meat products, and provide technical assistance to meat exporters and importers;

“e) Meat Science and Technology – which shall be responsible for the technical training of veterinarians and meat inspectors on meat inspection, manages data on animal slaughter, provides technical assistance to the LGUs in the development of the LGUs meat control or inspection system, and develops safety and quality standards in consultation with the product standard setting agencies;

“f) Laboratory Services – which shall provide analytical services to detect contaminants in meat and meat products and data analysis;

“g) Consumer Information, Education and Assistance – which shall be responsible in conducting programs to inform, educate and assist consumers on meat safety and quality, conducts programs to promote meat safety and quality, and manages consumer complaints;

“h) Legal Affairs – which shall provide advice on all legal matters concerning the meat control or inspection system, provides NMIS and its personnel with legal assistance in litigation involving NMIS interest, conducts preliminary investigation on the basis of, and recommends the filing of appropriate legal and/or administrative actions on the basis of its findings;

“i) Planning, Monitoring and Evaluation – which shall be responsible for the research and formulation of appropriate policies and programs, development of the NMIS medium and long-term master plans and budget requirements, establishment and maintenance of NMIS data bank;

“j) Engineering and Climate Change – which shall provide technical assistance on the construction

of in-house and meat establishments, assists in the development of standards for slaughtering and processing equipment, utensils and other paraphernalia used in meat inspection, and manages climate change programs;

"k) Administrative – which shall provide economical, efficient and effective services pertaining to human resource, records, equipment, security, logistics and related services; and

"l) Finance – which shall provide economical, efficient and effective finance and related services and shall administer the Meat Inspection Service Development Trust Fund (MISDTF).

"Appropriate sections and units shall also be established to fully complement the organizational structure of the NMIS."

SEC. 3. Section 9 of the Act is hereby amended to read as follows:

"SEC. 9. *Regional Technical Operation Centers (RTOC)*. – Upon the effectivity of this Act, the existing regional offices of the NMIS shall consist of the meat laboratories, technical, administrative and finance services to be manned by technical, administrative and finance personnel whose qualifications shall be determined by the Secretary of Agriculture and approved by the Civil Service Commission, to effectively carry out the provisions of this Act. Within two (2) years from the effectivity of this Act, the functions of the NMIS-RTOC in "AA" accredited meat establishments shall be transferred or devolved to the provincial government where said meat establishments are located: *Provided*, That the Provincial Meat Inspection Service are certified by the NMIS to be compliant with national standards. However, certification of meat and meat products from "AAA" meat establishments which are intended for international trade shall remain with the NMIS."

SEC. 4. Section 46 of the Act is hereby amended to read as follows:

“SEC. 46. *Unified Fees and Charges of the NMIS and LGUs.* – The Secretary, by way of regulation, and after public hearing, shall prescribe such reasonable fees to be charged by the NMIS and LGUs for services rendered. The Secretary may revise such fees after due notice and public hearing. 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.”

SEC. 5. Section 47 of the Act is hereby amended to read as follows:

“SEC. 47. *Meat Inspection Service Development Trust Fund (MISDTF).* – 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 MISDTF. The fund shall be used for the following:

“a) continued upgrading of laboratory equipment and facilities to conform with international standards;

“b) establishment of training facilities;

“c) capability development of technical personnel and field enforcers;

“d) conduct of research and development on meat and meat products standards with professional organizations, the academe and/or other government offices;

“e) indemnification of condemned animal during ante-mortem inspection;

“f) accreditation and food safety audits of foreign meat plants;

“g) conduct of enforcement, food defense program and collaborative activities with other law enforcement agencies;

“h) establishment of disposal facilities for seized or condemned items and programs for the prevention and control of the spread of pests and diseases from the abattoir to the farm;

“i) provision of benefits under the Magna Carta of Public Health Workers and health insurance for the well-being of NMIS personnel; and

“j) provision of other forms of assistance and support to the LGUs, the livestock sector and the meat industry. The trust fund may also accept grants and donations from national and foreign entities and individuals interested in the meat inspection development: *Provided*, That they are not subject to regulation of the NMIS.”

SEC. 6. Section 56 of the Act is hereby deleted and replaced with a new Section 56 to read as follows:

“SEC. 56. *Fines and Penalties.* – Any person who commits violation of any of the provisions of this Act, or shall commit any of the prohibited acts mentioned under Sections 48, 49, 50, 51, 52, 53 and 54 under Chapter XII of Republic Act No. 9296, or shall sell, transport, offer or receive for sale or transportation in commerce hot meat as herein defined, upon conviction, shall be punished by imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years or a fine of not less than One hundred thousand pesos (P100,000.00) but not more than One million pesos (P1,000,000.00) or both such fine and imprisonment upon the discretion of the court. The offender shall be obliged to pay to the concerned consumer whatever damage may have been suffered by the latter as a consequence of the unlawful act.

“If the offender is a juridical person, all officers such as, but not limited to, its president, manager or head of office responsible for their unlawful act

shall be criminally liable therefor, in addition to the cancellation of certificates of accreditation and/or registration.

“If the offender is a public official, the penalty shall include perpetual disqualification to hold public office.

“In addition, the NMIS and the LGUs shall impose the following administrative fines and penalties:

“a) For Section 48 a) and b) – confiscation as provided under Section 58 of this Act and a fine of Fifty thousand pesos (P50,000.00) for the first offense, a fine of Seventy-five thousand pesos (P75,000.00) for the second offense, and a fine of One hundred thousand pesos (P100,000.00) plus prohibition from conducting business for two (2) years for the third and succeeding offenses;

“b) For Section 48 c) and d) – confiscation as provided under Section 58 of this Act and a fine of Two hundred thousand pesos (P200,000.00) for the first offense, a fine of Three hundred thousand pesos (P300,000.00) for the second offense, and a fine of Five hundred thousand pesos (P500,000.00) plus prohibition from conducting business for two (2) years for the third and succeeding offenses;

“c) For Sections 49, 50, 51, 52, 54 and hot meat – confiscation as provided under Section 58 of this Act and a fine of Two hundred thousand pesos (P200,000.00) for the first offense, a fine of Three hundred fifty thousand pesos (P350,000.00) for the second offense, and a fine of Five hundred thousand pesos (P500,000.00) plus prohibition from conducting business for three (3) years for the third and succeeding offenses; and


“d) For Section 53 – suspension of six (6) months for the first offense, and dismissal from government service for the second violation.”

SEC. 7. If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected shall continue to be in full force and effect.

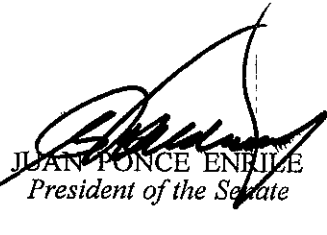
SEC. 8. All laws, decrees, executive orders and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby deemed repealed, amended or modified accordingly.

SEC. 9. This Act shall take effect after fifteen (15) days from its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,

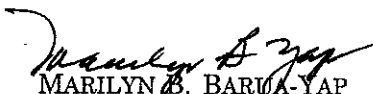


FELICIANO BELMONTE JR.
*Speaker of the House
of Representatives*

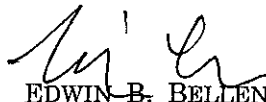


JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 3388 and House Bill No. 5490 was finally passed by the Senate and the House of Representatives on February 4, 2013.



MARILYN B. BARUA-YAP
*Secretary General
House of Representatives*



EDWIN B. BELTEN
Acting Senate Secretary

MAY 15 2013

Approved:



BENIGNO S. AQUINO III
President of the Philippines



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