



HOUSE OF REPRESENTATIVES

H. No. 6076

BY REPRESENTATIVES ALEJANO, ACEDILLO, ESCUDERO, COLMENARES, ZARATE, SALVACION, UNGAB, BELLO (S.), PAQUIZ, ARNAIZ, CORTUNA, NAVA (J.), QUISUMBING, ANGPING, SUANSING, PAEZ, ACOP, ABU, VIOLAGO, LANETE, DELOSO-MONTALLA, PRIMICIAS-AGABAS, CO, BATOCABE AND BATAOIL, PER COMMITTEE REPORT NO. 848

AN ACT REGULATING THE PRACTICE OF FOOD TECHNOLOGY IN THE PHILIPPINES, CREATING FOR THE PURPOSE THE BOARD OF FOOD TECHNOLOGY, AND APPROPRIATING FUNDS THEREFOR

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

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ARTICLE I

TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

SECTION 1. *Short Title.* -- This Act shall be known as the "Philippine Food Technology Act".

SEC. 2. *Statement of Policy.* -- The State recognizes the importance of professional food technologists in nation building and development. Hence, it shall develop and nurture competent, virtuous, productive and well-rounded professional food technologists whose standards of practice and service shall be excellent, world-class and globally competitive through honest, effective,

1 relevant and credible licensure examinations and through regulatory programs,
2 measures and activities that foster their professional growth, social
3 responsibility and development.

4 SEC. 3. *Definition of Terms.* – As used in this Act:

5 (a) *Food technology* refers to the application of the physical,
6 biological, and behavioral sciences to the conversion of raw materials into safe,
7 stable, palatable, and nutritious foods. It includes the processes of handling,
8 storage, processing, packaging, distribution, and utilization of food; and

9 (b) *Food technologist* refers to a person qualified to practice food
10 technology as provided in this Act, and who is a holder of a valid certificate of
11 registration and a valid professional license issued by the Professional
12 Regulatory Board of Food Technology and the Professional Regulation
13 Commission.

14 SEC. 4. *The Scope of Practice of Food Technology.* – The practice of
15 food technology shall include the specification of raw materials and
16 supervision of their procurement; supervision of production; product quality
17 assurance, quality control, quality improvement and product evaluation,
18 including the evaluation of the sensory, microbiological, physical, chemical,
19 and functional properties of food; and the conduct of basic and applied
20 research towards development and improvement of the safety and quality of
21 food products. It shall also include teaching, lecturing, and reviewing of
22 subjects in food technology.

23 ARTICLE II

24 THE PROFESSIONAL REGULATORY BOARD OF FOOD TECHNOLOGY

25 SEC. 5. *Creation of the Professional Regulatory Board of Food*
26 *Technology.* – There is hereby created a Professional Regulatory Board of
27 Food Technology, hereinafter called the Board, under the administrative
28 supervision of the Professional Regulation Commission (PRC). The Board

1 shall be composed of a Chairperson and two (2) members who shall be
2 appointed by the President of the Republic of the Philippines from a list
3 submitted by the PRC of three (3) nominees for each position from a list of
4 five (5) nominees for each position, chosen and ranked by the integrated
5 accredited professional organization (APO) of food technologists. The Board
6 shall be organized not later than six (6) months after the effectivity of this Act.

7 SEC. 6. *Powers and Functions of the Board.* – The Board shall
8 exercise the following powers and functions:

9 (a) Promulgate, administer, and enforce rules and regulations necessary
10 for carrying out the provisions of this Act;

11 (b) Supervise and regulate the registration, licensure, and practice of
12 food technology in the Philippines;

13 (c) Adopt a program for the full computerization of the licensure
14 examination;

15 (d) Issue temporary/special permits to persons admitted to the practice
16 of food technology for a specific duration of time, and certificates of
17 recognition for advanced studies, researches and accomplishments that
18 contribute to the enrichment of the profession;

19 (e) Issue, reinstate, suspend or revoke the certificate of registration
20 and/or professional license or cancel temporary/special permits for the practice
21 of food technology;

22 (f) Ensure, in coordination with the Commission on Higher Education
23 (CHED), that all educational institutions offering food technology education
24 comply with the policies, standards, and requirements of the course prescribed
25 by the CHED in the areas of curriculum, faculty, library and facilities;

26 (g) Prepare, adopt, and issue the syllabi of the subjects for
27 examinations by determining and preparing the questions which shall strictly
28 be within the scope of the syllabus of the subject for examination;

1 (h) Prescribe guidelines and criteria in the Continuing Professional
2 Development (CPD) program for food technologists;

3 (i) Monitor the conditions affecting the practice of food technology
4 and adopt such measures as may be deemed proper for the enhancement of the
5 profession and the maintenance of high professional, ethical and technical
6 standards;

7 (j) Prescribe and adopt a Code of Ethics and a Code of Technical
8 Standards for the practice of food technology;

9 (k) Hear and investigate cases on violations of this Act, its
10 implementing rules and regulations (IRR), the Code of Ethics, the Code of
11 Good Governance, the Code of Technical Standards for the practice of food
12 technology and, for this purpose, to issue summons, *subpoena ad testificandum*
13 and *subpoena duces tecum* to alleged violators and witnesses to compel their
14 attendance in hearings or investigations: *Provided*, That the decision of the
15 Board shall, unless appealed to the PRC, become final and executory after
16 fifteen (15) days from receipt thereof;

17 (l) Grant registration without examination subject to approval by the
18 PRC;

19 (m) Administer oaths in connection with the administration of this Act;

20 (n) Maintain a roster of food technologists indicating therein the basic
21 information about the registered professionals;

22 (o) Adopt an official seal of the Board; and

23 (p) Discharge such other powers and functions as the Board may deem
24 necessary for the practice of the profession and the upgrading, enhancement,
25 development, and growth of food technology in the Philippines.

26 The policies, resolutions, rules and regulations, orders or decisions
27 issued or promulgated by the Board shall be subject to the review and approval
28 of the PRC.

1 SEC. 7. *Qualifications of the Members of the Board.* – At the time of
2 their respective appointments, the members of the Board, including the
3 Chairperson, must be:

4 (a) A citizen and resident of the Philippines for the last five (5) years;

5 (b) A degree holder of a Bachelor of Science in Food Technology as
6 conferred by a school, college or university in the Philippines or abroad where
7 its food technology program is recognized by the CHED;

8 (c) A duly registered food technologist under this Act, with a valid
9 certificate of registration and professional license and has been in the active
10 practice of the profession in the Philippines for at least five (5) years prior to
11 the appointment of the member;

12 (d) A member in good standing of the integrated APO of food
13 technologists; and

14 (e) A person with no any pecuniary interest, directly or indirectly, in
15 any school, academy, college, university or institution conferring an academic
16 degree necessary for admission to the practice of food technology or where
17 review classes in preparation for the licensure examination are being offered or
18 conducted, nor a member of the faculty or of the administration thereof at the
19 time of the appointment of the member to the Board; and be a person who has
20 not been convicted by any competent court of an offense involving moral
21 turpitude.

22 SEC. 8. *Term of Office of the Members of the Board.* – The
23 Chairperson and the members of the Board shall hold office for a term of three
24 (3) years from the date of appointment or until their successors shall have been
25 qualified and appointed. They may be reappointed in the same office for
26 another term of three (3) years immediately after the expiry of their term:
27 *Provided*, That no member of the Board shall hold office for not more than
28 two (2) terms or not more than six (6) years: *Provided, further*, That the first

1 Board appointed under this Act shall hold these terms of office: the
2 Chairperson for three (3) years, the first member for two (2) years, and the
3 second member for one (1) year: *Provided, finally*, That an appointee to a
4 vacancy shall serve only the unexpired portion of the term of office. The
5 Chairperson and the members shall duly take their oaths of office before a duly
6 authorized officer.

7 SEC. 9. *Compensation and Allowance of the Board.* – The Chairperson
8 and members of the Board shall receive compensation and allowances
9 comparable to that being received by the chairpersons and members of existing
10 regulatory boards under the PRC as provided for in the General Appropriations
11 Act.

12 SEC. 10. *Removal or Suspension of the Members of the Board.* – The
13 Chairperson or any member of the Board may, upon the recommendation of
14 the PRC, be suspended or removed by the President of the Philippines upon
15 due notice and hearing, for neglect of duties; incompetence; malpractice;
16 commission or tolerance of irregularities in any examination given by the
17 Board, manipulation or rigging of the said examination, tampering of questions
18 prior to the conduct of the said examinations, or tampering of grades; or
19 unprofessional or unethical conduct. The rights of the accused or respondent
20 to be heard, to defend oneself, and to be assisted by counsel shall be respected
21 in the proper administrative investigation to be conducted for the purpose.

22 Any vacancy in the Board shall be filled for the unexpired portion of the
23 term only.

24 SEC. 11. *Supervision of the Board, Custodian of its Records,*
25 *Secretariat, and Support Services.* – The Board shall be under the
26 administrative supervision of the PRC. All records of the Board, including
27 applications for examination papers and results, minutes of deliberations,

1 administrative cases, and other investigations involving food technologists
2 shall be kept by the PRC.

3 The PRC shall designate the Secretary of the Board and shall provide
4 the secretariat and other support services to implement the provisions of this
5 Act.

6 SEC. 12. *Annual Report.* – The Board shall, at the close of each
7 calendar year, submit an annual report to the PRC, giving a detailed account of
8 its proceedings, accomplishments during the year, and recommending
9 measures to be adopted, with the end in view of upgrading and improving the
10 conditions affecting the practice of food technology in the Philippines.

11 ARTICLE III

12 EXAMINATION AND REGISTRATION

13 SEC. 13. *Licensure Examination Requirement.* – Except as otherwise
14 specifically allowed under this Act, applicants for registration for the practice
15 of food technology shall be required to pass a licensure examination as
16 provided for in this Act in such places and dates as the PRC may designate in
17 the Resolution thereof on the Master Schedules for all licensure examinations
18 in accordance with Section 7(d) of Republic Act No. 8981, otherwise known as
19 the “PRC Modernization Act of 2000”, as amended.

20 SEC. 14. *Qualifications of an Applicant for the Licensure*
21 *Examinations.* – An applicant for the licensure examination for food
22 technologists shall meet the following qualifications:

23 (a) Possesses Philippine citizenship or, in the case of a foreigner,
24 citizenship of a country or State that has a reciprocity agreement with the
25 Philippines on the practice of food technology;

26 (b) Of good moral character;

1 (c) Holds a bachelor's degree in food technology, conferred by a
2 school, college, or university recognized and duly accredited by the CHED;
3 and

4 (d) Has not been convicted of an offense involving moral turpitude by a
5 court of competent jurisdiction.

6 SEC. 15. *Scope of Examination.* – The licensure examination shall
7 cover the following subjects:

8 (a) Physical, Chemical, Biological, and Microbiological Principles;

9 (b) Food Processing, Preservation, and Food Engineering;

10 (c) Quality Sensory Evaluation of Food; and

11 (d) Food Laws and Regulations.

12 The Board may revise or exclude any of the above subjects and add new
13 ones as may be called for by the requirements of the industry and of the
14 profession.

15 SEC. 16. *Ratings in the Examination.* – To pass the licensure
16 examination, a candidate for food technologist must obtain a passing rating of
17 seventy-five percent (75%) in each subject given during the examination:
18 *Provided, however,* That an examinee who obtains a passing rating in the
19 majority of the subjects but obtains a rating in the other subjects below
20 seventy-five percent (75%) but not lower than sixty percent (60%) shall be
21 allowed to take one (1) removal examination on the subjects where the passing
22 rating was not obtained: *Provided, finally,* That should the examinee fail to
23 obtain a passing rating in the removal examination, the examinee shall be
24 considered as having failed the entire licensure examination.

25 SEC. 17. *Report of Rating.* – The Board and the PRC shall correct and
26 rate the licensure examination papers and shall release the examination results
27 within ten (10) days after the date of the examination.

1 SEC. 18. *Issuance of Certificate of Registration and Professional*
2 *License.* – A certificate of registration shall be issued to examinees who pass
3 the licensure examination for food technologists subject to payment of fees
4 prescribed by the PRC. The certificate of registration shall bear the signature
5 of the Chairperson of the PRC and the members of the Board, stamped with the
6 official seal, indicating that the person named therein is entitled to practice the
7 *profession with all the privileges appurtenant thereto.* This certificate shall
8 remain in full force and effect until revoked or suspended in accordance with
9 this Act.

10 A professional license bearing the registration number, date of issuance
11 and expiry date, duly signed by the Chairperson of the PRC, shall likewise be
12 issued to a registrant who has paid the required registration fees. This license
13 will serve as evidence that the licensee can lawfully practice the profession
14 until the expiration of its validity.

15 SEC. 19. *Refusal to Register.* – The Board shall not register any
16 successful examinee who has been convicted by a court of competent
17 jurisdiction of any criminal offense involving moral turpitude or has been
18 found guilty of immoral or dishonorable conduct after investigation by the
19 Board, or has been declared to be of unsound mind. The reason for the refusal
20 shall be set forth in writing.

21 SEC. 20. *Registration Without Examination.* – The PRC shall issue a
22 certificate of registration and professional license to the Chairperson and
23 members of the first Board of food technology and to a person who, on the
24 date of the effectivity of this Act, has passed the examination for food
25 technologists given by the Board. The same privilege shall be granted to a
26 qualified applicant who shall apply for registration without taking the
27 prescribed licensure examination and who is a holder of a bachelor's degree in
28 food technology or allied fields of nutrition, agriculture, biochemistry or

1 molecular biology, chemistry, fishery, chemical engineering, and who has been
2 actively practicing the profession of food technology for a period of at least
3 five (5) years immediately preceding the effectivity of this Act.

4 A qualified applicant shall file the application in the form prescribed for
5 the purpose not later than two (2) years from the date of the effectivity of this
6 Act.

7 *SEC. 21. Revocation or Suspension of Certificate of Registration and*
8 *Cancellation of Temporary/Special Permit.* – The Board may, after giving
9 proper notice of hearing to the party concerned, revoke a practitioner’s
10 certificate of registration, suspend the practice of the profession, or cancel a
11 temporary/special permit for any unprofessional or unethical conduct,
12 malpractice, or violation of any of the provisions of this Act, its rules and
13 regulations, the Code of Ethics, and the Code of Technical Standards for food
14 technologists.

15 *SEC. 22. Reinstatement, Reissuance or Replacement of Certificate of*
16 *Registration and Professional License.* – Two (2) years after the date of
17 revocation, the Board may, upon application and for reasons deemed proper
18 and sufficient, reinstate any revoked certificate of registration and reissue a
19 professional license and, in so doing, may, in its discretion, exempt the
20 applicant from taking another examination.

21 A new certificate of registration or professional license or
22 temporary/special permit, to replace lost, destroyed or mutilated ones, may be
23 issued subject to the rules as implemented by the Board.

24 *SEC. 23. Roster of Food Technologists.* – The Board shall prepare,
25 update, and maintain a roster of food technologists which shall contain the
26 name of each registered food technologist, the residence and office addresses,
27 the date of registration and issuance of certificates, and other data which the

1 Board may deem pertinent. The roster shall be open to the public, a copy of
2 which shall be furnished to each person listed therein.

3 SEC. 24. *Issuance of Temporary/Special Permits.* – Without prejudice
4 to the requirements of existing law on the practice by foreigners in the
5 Philippines, foreigners may be issued temporary/special permits to practice
6 food technology in the Philippines: *Provided*, That these shall be limited to the
7 particular work for which they are commissioned: *Provided, further*, That the
8 said temporary/special permits shall be renewed every year. The permits may
9 be issued to:

10 (a) Foreign food scientists or technologists called to the Philippines to
11 provide consultancy services;

12 (b) Foreign food scientists or technologists employed as exchange
13 professors or instructors in recognized local schools, universities, colleges, or
14 instructors to teach Food Science and Technology subjects; and

15 (c) Foreign food scientists or technologists attached to international
16 agencies or organizations assigned to perform certain work in the Philippines
17 relative to the practice of food technology.

18 ARTICLE IV

19 PRACTICE OF FOOD TECHNOLOGY

20 SEC. 25. *Prohibition on the Practice of Food Technology.* – No
21 person shall practice or offer to practice food technology in the Philippines or
22 offer oneself as food technologist, or use the title, word, letter, figure, or any
23 sign tending to convey the impression that one is a food technologist or
24 advertise or indicate in any manner whatsoever as qualified to perform the
25 work of food technologist unless the person satisfactorily passed the licensure
26 examination given by the Board, except as otherwise provided in this Act, and
27 is a holder of a valid certificate of registration and a valid professional license
28 or a valid temporary/special permit duly issued by the Board and the PRC.

1 SEC. 26. *Other Prohibited Acts.* – (a) Representing oneself as a food
2 technologist during the time that the professional license is not valid, or that
3 the certificate of registration has been suspended or revoked, or that the
4 temporary/special permit is cancelled;

5 (b) Allowing another person to use one’s certificate of registration
6 and/or professional license or temporary/special permit as a food technologist
7 to enable the person to engage in the practice of food technology; and

8 (c) Using the certificate of registration and/or professional license or
9 temporary/special permit of another food technologist.

10 SEC. 27. *Oath.* – All successful examinees or those allowed to register
11 without licensure examination given by the Board and the PRC shall be
12 required to take their oath before the Board or any member thereof and any
13 official of the PRC or any person authorized by law prior to the practice of
14 food technology.

15 SEC. 28. *Continuing Professional Development (CPD) Program.*
16 – The CPD guidelines shall be prescribed and promulgated by the PRC upon
17 consultation with the Board, which shall consult the integrated APO of food
18 technologists, affiliated association of food technologists, and other concerned
19 sectors. The Board shall create a CPD Council that shall be composed of a
20 Chairperson coming from the Board, a member from the APO of food
21 technologists and a member from the academe.

22 SEC. 29. *Integration of Food Technologists.* – All food technologists
23 shall be integrated into one (1) national organization, which shall be
24 recognized by the Board and by the PRC as the one and only integrated APO
25 of food technologists. A food technologist duly registered with the Board shall
26 automatically become a member of the integrated APO of food technologists,
27 and shall receive the benefits and privileges thereto upon payment of the

1 required fees and dues. Membership in the integrated APO shall not be a bar
2 to membership in other associations of food technologists.

3 SEC. 30. *Foreign Reciprocity.* – No foreign food technologist shall be
4 admitted to the licensure examination, or be given a certificate of registration
5 and a professional license, or be entitled to any of the privileges under this Act,
6 unless the country of which is a subject or citizen specifically permits Filipino
7 food technologists to practice within its territorial limits under the same
8 conditions and on an equal basis as its own subjects or citizens.

9 SEC. 31. *Indication of License and Privilege Tax Receipt.* – A food
10 technologist shall be required to indicate the registration/professional number
11 and the date of issuance and the duration of validity, including the privilege tax
12 receipt number on the documents one signs or issues in connection with the
13 practice of the profession.

14 ARTICLE V

15 FINAL PROVISIONS

16 SEC. 32. *Funding Provision.* – The Chairperson of the PRC shall
17 include in the PRC's program the implementation of this Act, the funding of
18 which shall be included in the annual General Appropriations Act.

19 SEC. 33. *Penal Provisions.* – Any person who shall violate any of the
20 provisions of this Act or any of its implementing rules and regulations as
21 promulgated by the Board subject to the approval of the PRC shall, upon
22 conviction, be punished by a fine of not less than forty thousand pesos
23 (P40,000.00) but not more than one hundred fifty thousand pesos
24 (P150,000.00) or by imprisonment of not less than (6) months but not more
25 than four (4) years, or both, at the discretion of the court.

26 SEC. 34. *Implementing Rules and Regulations.* – To implement the
27 provisions of this Act, the Board shall, subject to the approval of the PRC,

1 promulgate the rules and regulations and the Code of Ethics for food
2 technologists within thirty (30) days after the effectivity of this Act.

3 SEC. 35. *Separability Clause.* – If any section or provision of this Act
4 shall be declared invalid or unconstitutional, such shall not invalidate any other
5 section or provision of this Act.

6 SEC. 36. *Repealing Clause.* – All laws, decrees, orders, issuances, or
7 parts thereof which are inconsistent with the provisions of this Act are hereby
8 repealed or modified accordingly.

9 SEC. 37. *Effectivity.* – This Act shall take effect fifteen (15) days after
10 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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