Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

HOUSE OF REPRESENTATIVES
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EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1273

Introduced by HONORABLE LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

Food is man's most basic need. Over the years, mankind has progressed from the hunter-gatherer method of securing food for daily sustenance to more advanced techniques like cooking, refrigeration, and other means of food processing and preservation not only to enrich the flavor of the ingredients but also to make the most of available resources. Advancements in food technology have allowed man to combat limitations in food supply brought about by the climate such as extreme winter or drought, as well as those caused by the natural geography and elevation of their location. More sophisticated developments in food technology have also enabled man to meet the needs of an ever-ballooning global population.

This bill recognizes the importance of food technology to the general health and welfare of Filipino families, as well as its contribution to the national economy. In pursuit of this end, the bill proposes the strengthening of food technology in the country as a profession and a field of study. First, the bill seeks to mandate the registration of all food technologists in the country or those who have successfully passed the Food Technologists Licensure Examination. Currently, there is no licensure examination and mandatory registration of food technology professionals. Additionally, a Code of Ethics and Technical Standards will be introduced to these professionals, as well as guidelines for continuous professional development. Second, the bill endeavors to institutionalize the study of food technology in tertiary

curricula across the country to ensure the consistent supply of young blood in this profession.

It is a reality that while blessed with abundant natural resources from its numerous bodies of water and landforms, the Philippines still suffers from food insecurity or the state of having no reliable access to sufficient, affordable, and nutritious food. In fact, Filipino farmers and fishermen are the most food insecure. The Philippines is also a major importer of agricultural food products. In 2015 alone, its imports of rice, wheat, milk, soya, foreign meat products and other food items amounted to some P500 billion.

Food technology in the Philippines should no longer remain underutilized. Through it, we can ensure safe and abundant food supply for all Filipinos, as well as reduce our reliance on imported food products. In light of the foregoing, this bill seeks the institutionalization of food technology in tertiary curricula, the registration and regulation of food technology professionals, as well as the establishment of a Professional Regulatory Board of Food Technology for the most effective implementation of this Act.

The swift approval of this bill is respectfully sought.

LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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AN ACT
PROVIDING FOR THE REGISTRATION, LICENSURE AND PRACTICE OF FOOD TECHNOLOGY IN THE PHILIPPINES, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

ARTICLE I
TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

SECTION 1. ***Title.*** – This Act shall be known as the "Philippine Food Technology Act of 2017."

SECTION 2. ***Statement of Policy.*** – The State recognizes the importance of food technology in nation-building. 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 inviolable, honest, effective and credible licensure examinations and through regulatory measures, programs and activities that foster their continuing professional growth.

SECTION. 3. ***Definition of Terms***. – As used in this Act, the following terms shall mean:

a) Food refers to any substance or product whether processed, partially processed or unprocessed that is intended for human consumption. It includes drinks, chewing gum. water and other substances, which are intentionally incorporated into the food during its manufacture, preparation and treatment.

b) Food Technology is the application of science and related fields of study in post-harvest handling, preparation, processing, packaging, storage and distribution of food to ensure food security and well-being of individuals, families and communities. It includes the social, cultural, economic, managerial and environmental aspects of the food system.

c) Food Technologist refers to a person qualified to practice food technology as provided in this Act and who is a holder of a valid certificate of registration and a valid professional license issued by the Professional Regulatory Board of Food Technology and the Professional Regulation Commission.

d) Microbiological specification is a certification of the microbiological, physical, chemical, sensory and functional properties of food.

SECTION 4. ***Scope of Practice of Food Technology.*** – The following, and similar activities, shall be the functions of a registered food technologist:

a. Specification of raw materials and supervision of their procurement;
b. Supervision of food processing operation;
c. Evaluation of the microbiological, physical, chemical, sensory and functional properties of food;
d. Certification of the analysis of microbiological, physical, chemical, sensory and functional properties of food;
e. Technical transactions (c.g. sale, trading) of food, food ingredients and additives, machineries, equipment and implements used in safe and quality food production and distribution;

f. Conduct of basic and applied research towards development and/or improvement of the safety and quality of food products;
g. Teaching, lecturing and reviewing of subjects under the Bachelor of Science in Food Technology curriculum in any college, university or training or review center, or any other educational institution or certification body, as well as those subjects covered in the licensure examination for food technologists;
h. Compliance with food laws and regulations in the manufacture and distribution of food products in local and international markets;
i. Implementation of quality management systems, food safety, laboratory management, quality requirements, and quality audit;
j. Provision of assistance in waste management for environmental safety;
k. Consultation work related to any or all of the above functions; and
l. Procurement of chemicals, reagents, equipment, apparatus and other materials for the conduct of food analysis, research and development.

ARTICLE II.
Creation of the Professional Regulatory Board of Food Technology

SECTION 5. ***Creation and Composition of the Board.*** – There is hereby created a Professional Regulatory Board of Food Technology, hereinafter called the Board, under the administrative supervision of the Professional Regulation Commission (PRC), hereinafter referred to as the Commission. The Board shall be composed of a Chairman and two (2) members who shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position recommended by the Commission, from a list of five (5) nominees for each position chosen and ranked by the integrated and accredited association of food technologists.

The Board shall be organized not later than six (6) months after the effectivity of this Act.

SECTION 6. ***Powers and Functions of the Board.*** – The Board shall have the following powers and functions:

a) Promulgate, administer, and enforce rules and regulations necessary for carrying out the provisions of this Act;
b) Supervise and regulate the registration, licensure, and practice of food technology in the Philippines;
c) Administer oaths in connection with the administration of this Act;
d) Adopt an official seal of the Board;
e) Maintain a roster of food technologists indicating therein the basic information about the registered professionals;
f) Issue, reinstate, suspend or revoke the certificate of registration and/or professional license or cancel special permits for the practice of food technology;
g) Monitor the conditions affecting the practice of food technology and adopt such measures as may be deemed proper for the enhancement of the profession and/or the maintenance of high professional, ethical and technical standards;
h) Ensure, in coordination with the Commission on Higher Education (CHED), that all educational institutions offering food technology education shall comply with the policies, standards, and requirements of the course prescribed by CHED in the areas of curriculum, faculty, library and facilities;
i) Prescribe and/or adopt a Code of Ethics and a Code of Technical Standards for the practice of food technology;
j) Hear or investigate any violation of this Act, its implementing rules and regulations, and the Code of Ethics for food technologists as shall come to the knowledge of the Board, and for this purpose, to issue subpoena *duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith: *Provided, That the decision of the Board shall, unless appealed to the Commission, become final and executory after fifteen (15) days from receipt of judgment or decision;*
k) Prescribe guidelines and criteria in the Continuing Professional Development (CPD) program for food technologists;
l) Adopt a program for the full computerization of the licensure examination;
m) Prepare, adopt, and issue the syllabi of the subjects for the licensure examination by determining and preparing the questions which shall strictly be within the scope of the syllabus of the subject for examination;
n) Grant registration without examination subject to approval by the Commission;

o) Issue special permits to persons admitted to the practice of food technology for a specific duration of time, and certificates of recognition for advanced studies researches and accomplishments that contribute to the enrichment of the profession; and

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

The policies, resolutions, rules and regulations, orders or decision issued or promulgated by the Board shall be subject to the review and approval of the Commission.

SECTION 7. ***Qualifications of the Chairman and Members of the Board.*** – The Chairman and Members of the Board shall, at the time of their appointment, possess the following qualifications;

a) Must be a natural born citizen and resident of the Philippines for the last five years;

b) Must be a holder of a Bachelor of Science in Food Technology degree or an advanced degree in Food Science/Technology as conferred by a school, college, or university in the Philippines or abroad whose food technology program is recognized by CHED;

c) Must be a duly registered food technologist under this Act, with a valid certificate of registration and professional license and has been in the active practice of the profession in the Philippines for at least ten (10) years prior to his appointment;

d) Must be a member in good standing of the integrated and accredited association of food technologists;

e) Must have no pecuniary interest, directly or indirectly, in any school, academy, college, university or institution conferring an academic degree necessary for admission to the practice of food technology or where review classes in preparation for the licensure examination are being offered or conducted, nor shall he be a member of the faculty or of the administration thereof at the time of his appointment to the Board; and

f) Must not have been convicted by any competent court of an offense involving

moral turpitude.

SECTION 8. ***Term of Office***. – The Chairman and members of the Board shall hold office for a term of three (3) years or until their successors shall have been appointed and duly qualified: Provided, that members of the first appointed Board shall hold office for the following terms: one (1) member as Chairman for three (3) years, one (1) member for two (2) years and one (1) member for one (1) year.

The Chairman or member of the Board may be reappointed for another term, but in no case shall he serve continuously for more than six (6) years. Any vacancy in the Board be filled for the unexpired portion of the term only. Each member of the Board shall automatically be registered as a food technologist and issued a certificate of registration and professional license. He shall take the proper oath of office prior to assumption of duty.

SECTION 9. ***Compensation and Allowance of the Board***. – The Chairman and Members of the Board shall receive compensation and allowances comparable to that being received by the Chairman and Members of existing regulatory boards under the Commission, as provided for in the General Appropriations Act.

SECTION 10. ***Removal of Board Members.*** – Any vacancy in the Board shall be filled for the unexpired portion of the term only. The Chairman or any member of the Board may be suspended or removed by the President of the Philippines upon the recommendation of the Commission for neglect of duties; incompetence; malpractice; commission or tolerance of irregularities in any examination given by the Board, manipulation or rigging of the said examination, tampering of questions prior to the conduct of the said examinations, or tampering of grades; or unprofessional or unethical conduct and acts inimical to the profession as determined by the Board, after due notice and hearing where his right to be heard, to defend himself, and to be assisted by counsel shall be respected in a proper administrative investigation, or final judgment involving criminal offense.

SECTION 11. ***Supervision of the Board, Custodian of its Records, Secretariat, and Support Services.*** – The Board shall be under the administrative supervision of

the Commission. All records of the Board, including applications for examination papers and results, minutes of deliberation, administrative cases, and other investigations involving food technologists shall be kept by the Commission.

The Commission shall designate the Secretary of the Board and shall provide the Secretariat and other support services to implement the provisions of this Act.

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

ARTICLE III
Examination and Registration

SECTION 13. ***Licensure Examination.*** – Except as otherwise provided in this Act, every applicant seeking to be a registered and licensed food technologist shall undergo an examination to be given by the Board in such places and dates as the Commission may designate.

SECTION 14. ***Qualification for Examinations.*** – An applicant for the licensure examination for food technologist shall establish to the satisfaction of the Board that:

a) He is a citizen of the Philippines or a foreigner whose country has a reciprocity agreement with the Philippines;
b) He has not been convicted of an offense involving moral turpitude; and
c) He must be a graduate with a Bachelor of Science in Food Technology degree from a school, college, or university in the Philippines or abroad whose food technology program is recognized by the Commission on Higher Education.

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

a) Physical, Chemical, Biological, and Microbiological Principles;
b) Food Processing, Preservation, and Food Engineering;
c) Quality Evaluation of Food; and
d) Food Laws and Regulations.

The Board may revise or exclude any of the above subjects and add new ones in case the need arises.

SECTION 16. ***Examination Fees.*** **–** Every applicant admitted to take the food technology examination shall pay such fees as may be prescribed by it before he or she is allowed to take the examination.

SECTION 17. ***Report of Rating and Release of the Results of Examination.*** — The Board shall complete the correction of examination papers within ten (10) days from the last day of the examination. The Commission shall report the rating of the examinees not more than ten (10) days after the board has completed the correction of examination papers.

SECTION 18. ***Ratings in the Examination.*** – To pass the licensure examination, a candidate for food technologist must obtain a general weighted average rating of at least 75%. Provided, however, that a candidate who obtains a rating in the other subject/s below 75% but not lower than 60% shall be allowed to take one removal examination on the subject/s where he/she failed to obtain the passing rating. Provided, that should the examinee fail to obtain a passing rating in the removal examination, he/she shall be considered as having failed the entire licensure examination. Provided, finally, that any candidate who fails to pass the examination in three successive attempts shall not be admitted in the fourth examination unless he/she could present to the Board a certification that the examinee had enrolled and undergone within the year preceding, a pre-board review course from a review center duly recognized by the Commission.

SECTION 19. ***Issuance of the Certificate of Registration and Professional Identification*** **Card.** – A certificate of registration shall be issued to examinees who

pass the licensure examination for food technologists subject to payment of fees prescribed by the Commission. The certificate of registration shall bear the signature of the Chairman of the Commission and the Members of the Board, stamped with the official seal, indicating that the person named therein is entitled to practice the profession with all the privileges appurtenant thereto. This certificate shall remain in full force and effect until revoked or suspended in accordance with this Act.

A professional license bearing the registration number, date of issuance, expiry date, duly signed by the Chairman of the Commission, shall likewise be issued to every registrant who has paid the required registration fees. This license will serve as evidence that the licensee can lawfully practice his profession until the expiration of its validity.

SECTION 20. ***Refusal to Register.*** – The Board shall not register any successful examinee who has been convicted by a court of competent jurisdiction of any criminal offense involving moral turpitude or has been found guilty of immoral or dishonorable conduct after investigation by the Board, or has been declared to be of unsound mind.

The reason for the refusal shall be set forth in writing.

SECTION 21. ***Registration Without Examination.*** – The Commission shall issue a certificate of registration and professional license to the Chairman and members of the first Board of Food Technology and to those who, on the date of the effectivity of this Act, have passed the examination for food technologists given by the Civil Service Commission.

The Commission through the Board shall grant a certificate of registration and professional license to qualified applicants who shall apply for registration without taking the prescribed licensure examination and who are holders of a Bachelor s Degree in Food Technology or allied fields of Nutrition, Agriculture, Biochemistry or Molecular Biology, Chemistry, Fishery, Chemical Engineering, and who have been actively practicing the profession of food technology for a period of at least five (5) years immediately preceding the effectivity of this Act.

Qualified applicants shall tile their applications in the form prescribed for the purpose no later than two (2) years from the date of the effectivity of this Act.

SECTION 22. ***Revocation or Suspension of the Certificate of Registration and Cancellation of Special Permit.*** – The Board may after giving proper notice of hearing to the party concerned, revoke the practitioner's certificate of registration, suspend him from the practice of his profession, or cancel his special permit for any unprofessional or unethical conduct, malpractice, or violation of any of the provisions of this Act, its rules and regulations, the Code of Ethics, and the Code of Technical Standards for food technologists.

SECTION 23. ***Reinstatement, Reissuance or Replacement of Certificate of Registration and Professional License.*** – Two years after the date of revocation, the Board may, upon application, and for reasons deemed proper and sufficient, reinstate any revoked certificate of registration and reissue a professional license, and in so doing, may, in its discretion, exempt the applicant from taking another examination. A new certificate of registration or professional license or special permit, to replace lost, destroyed or mutilated ones may be issued subject to the rules as implemented by the Board.

SECTION 24. ***Roster of Food Technologists.*** – The Board shall prepare, update, and maintain a roster of food technologists which shall contain the name of each registered food technologist, his residence and office addresses, the date of registration and issuance of certificates, and other data which the Board may deem pertinent. The roster shall be open to the public, copies of which shall be mailed to each person listed therein.

SECTION 25. ***Issuance of Temporary or Special Permits.*** – Without prejudice to the requirements of existing laws on the practice by foreigners in the Philippines, the following foreigners may be issued temporary or special permits to practice food technology in the Philippines. Provided, however, that this practice of the profession shall be limited to the particular work for which they are commissioned: *Provided, further,* That the said temporary or special permit shall be renewed every year:

a) Food scientists or technologists called to the Philippines to provide consultancy services;
b) Food scientists or technologists employed as exchange professors or instructors in recognized local schools, universities, colleges, or instructors to teach Food Science and Technology subjects; and
c) Food scientists or technologists attached to international agencies or organizations assigned to perform certain work in the Philippines relative to the practice of food technology.

ARTICLE IV
Practice of Food Technology

SECTION 26. ***Prohibition on the Practice of Food Technology.*** – No person shall practice or offer to practice food technology in the Philippines or offer himself as food technologist, or use the title, word, letter, figure, or any sign tending to convey the impression that he is a food technologist or advertise or indicate in any manner whatsoever that he is qualified to perform the work of food technologist unless he has satisfactorily passed the licensure examination given by the Board, except as otherwise provided in this Act, and is a holder of a valid certificate of registration and a valid professional license or a valid temporary/special permit duly issued to him by the Board and the Commission.

SECTION 27. *Prohibited Acts.* – No person shall:

a) Engage in the practice of food technology by representing himself as a food technologist without a valid professional license or a valid certificate of registration, or a valid temporary/special permit granted by the Board pursuant to this Act;
b) Represent himself as a food technologist during the time that his professional license is not valid or that his certificate of registration has been suspended or revoked, or that his temporary/ special permit is cancelled;

c) Allow anybody to use his certificate of registration and/or professional license or temporary/special permit as a food technologist to enable such unqualified individual to engage in the practice of food technology;
d) Use as his own the certificate of registration and/or professional license or special/temporary permit of another;
e) Commit fraud or deceit in the acquisition of the certificate of registration, professional license, temporary or special permit or renewal thereof;
f) Aid or abet in the illegal practice of food technology by a non-registered or unauthorized person;
g) Manufacture, export, import, distribute, sell or offer to sell counterfeit, substandard, falsified food products including raw materials;
h) Commit acts in violation of Republic Act No. 10611 or the Food Safety Act of 2013; the applicable provisions of Republic Act No. 3720, as amended by Executive Order No. 175, and Republic Act No. 9711 or the Food and Drugs Administration (FDA) Act of 2009; and other food laws, including their respective implementing rules and regulations; and
i) Violate any provision of this act, its rules and regulations, the Code of Ethics for Food Technologists, Code of Technical Standards for the Professional Practice of the food technology profession, Code of Good Governance and all other guidelines, policies and regulatory measures of the board and/or the commission relating to the practice of the food technology profession.

SECTION 28. ***Oath.*** – All successful examinees or those allowed to register without licensure examination given by the Board and the Commission shall be required to take their oath before the Board or any member thereof and/or any official of the Commission or any person authorized by law prior to the practice of food technology.

SECTION 29. ***Code of Ethics and Code of Technical Standards for Food Technologists.*** The Board shall adopt and promulgate the Code of Ethics and Code of Technical Standards for food technologists prescribed and issued by the integrated and accredited national association of food technologists.

SECTION 30. ***Continuing Professional Development. (CPD)*** – The CPD guidelines shall be prescribed and promulgated by the Commission upon consultation with the

Board, which shall consult with the integrated and accredited association of food technologists, affiliated association of food technologists, and other concerned sectors. The Board shall create a CPD Council that shall be composed of a chairman coming from the Board, a member from the integrated and accredited association of food technologists and a member from the academe.

SECTION 31. ***Integration of Food Technologists***. – All food technologists shall be integrated into one (1) national organization, which shall be recognized by the Board and by the Commission as the one and only integrated and accredited association of food technologists. A food technologist duly registered with the Board shall automatically become a member of the integrated and accredited association of food technologists, and shall receive the benefits and privileges thereto, upon payment of the required fees and dues. Membership in the integrated and accredited association shall not be a bar to membership in other association of food technologists.

SECTION 32. Foreign Reciprocity. – No foreign food technologist shall be allowed to take the examination or be given a certificate of registration and a professional license, or be entitled to any of the privileges under this Act unless the country of which he is a subject or citizen specifically permits Filipino food technologists to practice within its territorial limits on the same basis as the subjects or citizens of such foreign state or country.

SECTION 33. ***Indication of License and Privilege Tax Receipt.*** – The food technologist shall be required to indicate his registration/professional number and date of issuance, the duration of validity, including the privilege tax receipt number on the documents he signs, or issues in connection with the practice of his profession.

ARTICLE V
Final Provisions

SECTION 34. ***Funding Provision***. – Such sums as may be necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 35. *Penal Provisions*. – Any person who shall violate any of the provisions of this Act or any of its implementing rules and regulations as promulgated by the Board subject to the approval of the Commission shall, upon conviction, be punished by a fine of not less than one hundred thousand pesos (P 100,000.00) but not more than one million pesos (P1,000,000.00) or by imprisonment of not less than (6) months nor more than four (4) years, or both, at the discretion of the court.

SECTION 36. ***Implementing Rules and Regulations***. – To implement the provisions of this Act, the Board shall, subject to the approval of the Commission, promulgate the rules and regulations and the Code of Ethics for food technologists within thirty (30) days after the effectivity of this Act.

SECTION 37. ***Separability Clause***. – If any section or provision of this Act shall be declared invalid or unconstitutional, such shall not invalidate any other section or provision of this Act.

SECTION 38. ***Repealing Clause.*** – All laws, decrees, orders, issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 39. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a major daily newspaper of national circulation whichever comes earlier.

Approved,