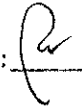


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'11 FEB 14 P5:30

S.B. No. **2697**

RECEIVED BY: 

Introduced by SEN. MANNY VILLAR

EXPLANATORY NOTE

Double-dead meat is the Filipino appellation for meat taken from an animal which has died of disease¹. Also known as "Botcha" or hot meat, it is can also be the meat of a dying or sick animal. Hog or poultry owners slaughter these animals before they die and sell the meat goods at a cheap price to willing meat vendors². Despite the existence of laws and ordinances which prohibit the selling of double-dead meat, low price and availability are the reasons for the proliferation of the sale of double-dead meat in the market. According to the National Meat Inspection Service (NMIS), in May 2008, about three (3) tons of pork and 63 kilos of buffalo meat were being sold by around 10 stalls outside the market for about P80-P90 per kilo.

Double-dead meat contains germs and micro-organisms that could cause illnesses like diarrhea and food poisoning.

The State, consistent with its policy to protect and promote the right to health of the people and instill health consciousness among them, is mandated to put a stop to this unscrupulous practice of selling double-dead meat to consumers who only want to save a few pesos in food expenses. Indeed, the appropriate method of dealing with diseased hog and chicken carcasses is disposal by burial or burning and not cooking and serving them to clueless people who unknowingly put their health and worse, their lives at risk.

In view of the foregoing, the approval of this initiative is earnestly sought.



MANNY VILLAR

¹ Lopez, Allison, "400 kilos of 'double-dead' meat seized from Divisoria", Philippine Daily Inquirer, December 13, 2007

² <http://newsflavor.com/world/asia/botcha-meat-dealers-still-at-large/>

FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'11 FEB 14 P5:30

S.B. No. 2697

RECEIVED BY: 

Introduced by SEN. MANNY VILLAR

AN ACT
DECLARING THE IMPORTATION, SELLING AND DISTRIBUTION OF "BOTCHA" OR
MEAT WITH FOOD AND MOUTH DISEASE (FMD) VIRUS OR ANY ILL-
QUARANTINED MEAT OR MEAT-PRODUCTS AS A CRIMINAL OFFENSE AMENDING
FOR THIS PURPOSE REPUBLIC ACT NO. 9296 OTHERWISE KNOWN AS "THE MEAT
INSPECTION CODE OF THE PHILIPPINES" AND FOR OTHER PURPOSES

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

SECTION 1. Section 48 of Chapter XII of Republic Act No. 9296 otherwise known as "The Meat Inspection Code of the Philippines" is hereby amended in part by adding a subsection to be denominated as Section 48 (e) to read as follows:

"Section 48. Prohibited Acts. – No person, firm or corporation shall:

x x x

E) IMPORT, SELL OR DISTRIBUTE DOUBLE-DEAD MEAT OR "BOTCHA", OR MEAT WITH FOOD AND MOUTH DISEASE (FMD) VIRUS OR ANY ILL-QUARANTINED MEAT OR MEAT-PRODUCTS."

SECTION 2. Chapter XIV of the same Act entitled "Penalties and Sanctions" is likewise hereby amended by adding the following sections to read as follows:

"SECTION 59. CRIMINAL LIABILITY. – ANY PERSON/S, FIRM OR CORPORATION FOUND TO HAVE VIOLATED ANY OF THE PROVISIONS OF THIS ACT SHALL BE SUBJECT TO IMPRISONMENT FOR A PERIOD OF NOT LESS THAN THIRTY (30) DAYS BUT NOT EXCEEDING SIX (6) MONTHS AND A FINE OF NOT LESS THAN ONE HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT EXCEEDING ONE MILLION PESOS (P1,000,000.00). IF THE VIOLATOR IS A FIRM, CORPORATION, OR ANY JURIDICAL ENTITY, INCLUDING THOSE WHICH REPRESENT THEMSELVES AS SUCH, THE PENALTY SHALL BE IMPOSED UPON ANY PERSON OR OFFICER THEREOF WHO KNOWS OR OUGHT TO HAVE KNOWN THE COMMISSION OR EXISTENCE OF THE VIOLATION

OF THIS ACT. ANY PERSON/S, FIRM OR CORPORATION WHO ASSIST, COOPERATE OR CONSPIRE IN THE COMMISSION OF ACTS IN VIOLATION OF THIS ACT AS HEREIN ENUMERATED SHALL BE SUBJECT TO THE GRADUATED PENALTIES BASED ON THE AFOREMENTIONED PENALTIES TAKING IN CONSIDERATION THEIR PARTICIPATION AND CULPABILITY ACCORDING TO THE REVISED PENAL CODE TO BE DETERMINED BY A COURT OF COMPETENT JURISDICTION.

SECTION 60. AUTOMATIC REVOCATION OF LICENCE TO OPERATE BUSINESS. - THE SECRETARY IS HEREBY AUTHORIZED TO REVOKE ANY LICENSE TO OPERATE BUSINESS AFTER PROPER NOTICE AND HEARING WHICH SHALL BE SUMMARY IN NATURE, OF ANY PERSON/S, FIRM OR CORPORATION FOUND TO HAVE VIOLATED ANY OF THE PROVISIONS OF THIS ACT."

SECTION 3. Separability Clause. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision, not otherwise affected shall remain valid and subsisting.

SECTION 4. Repealing Clause. Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 5. Effectivity Clause. This Act shall take effect fifteen (15) days from the date of the completion of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,