

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

SENATE  
OFFICE OF THE SECRETARY

'04 JUN 30 P12:01

SENATE  
S. B. No. 1A

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Introduced by: SENATOR JUAN M. FLAVIER

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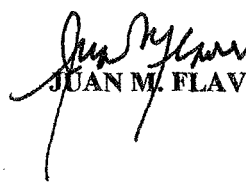
**EXPLANATORY NOTE**

The freedom to choose and exercise one's religion is a fundamental right recognized by the State and guaranteed by our Constitution. While the majority of the Filipinos are Christians, we cannot discount the fact that many Filipinos have embraced Islam as their religion.

In keeping with the spirit of respect and recognition for our Muslim brothers and sisters, this representation has introduced this legislation, which seeks to institute a Halal system for certification and accreditation for food, non-food and services consumed and patronized by the Muslim community.

By doing so, we not only show our genuine concern for the safety and welfare of Muslim populace but also our sensitivity as a nation to the desire to unite all Filipinos.

I therefore appeal for the immediate enactment of this measure.

  
JUAN M. FLAVIER

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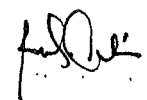
. SENATE  
S. B. No. 14

RECEIVED BY: 

Introduced by: SENATOR JUAN M. FLAVIER

AN ACT  
ESTABLISHING THE GENERAL GUIDELINES FOR THE PHILIPPINE HALAL  
SYSTEM, CREATING FOR THE PURPOSE THE PHILIPPINE HALAL  
EXECUTIVE COUNCIL AND CONVERTING THE SAME INTO A BOARD  
AFTER THE TRANSITION PERIOD, AND FOR OTHER PURPOSES.

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

- 1 Section 1. **Title.** - This Act shall be known as the "Halal Act of 2004." 
- 2 Section 2. **Declaration of Policy.** - It is the policy of the State to protect and  
3 promote the right of the people to health and to the free exercise of religion. Towards this  
4 end, the State shall ensure that the religious practices of the Islamic community are  
5 respected, safeguarded and promoted by institutionalizing a Halal certification and  
6 accreditation system for food, non-food and service products consumed and patronized by  
7 Muslims.
- 8 It shall also be the purpose of this Act to institute the Halal system in order to  
9 promote Philippine Halal products and services for export.
- 10 Section 3. **Definition of Terms.** - As used in this Act:
- 11 a. Shariah Law - means the Islamic Law based on the Al-Quran, Al-Hadith  
12 (Traditions of the Messenger of Allah), Ijma (Consensus of Islamic Scholars) and Qiyas  
13 (Legal Deduction or Analogy) according to the Shafei or any one of the Hanafi, Maliki or  
14 Hanbali Schools of Thought which have been practiced by countries where these guidelines  
15 have been implemented.
- 16 b. Halal - means "lawful," as pertaining to food or products permitted for  
17 human consumption under Shariah Law.
- 18 c. Carrion - as defined by Shariah Law, means the flesh of swine and dogs;  
19 flesh of dead animals that have been sacrificed to idols; flowing blood; flesh partly

1 consumed by beasts and birds of prey; and dead or decaying flesh of animals felled by  
2 strangulation, beating or goring.

3 d. Najis – as defined by Shariah Law, means things that are themselves filthy  
4 and cannot be cleaned like: pork, blood and carrion, as well as lawful food that has been  
5 contaminated or has come in contact with filth.

6 Section 4. **General Guidelines.** - There shall be established for the food, beverage,  
7 cosmetics, garments and textile, and other concerned industries the following general  
8 guidelines on the preparation, handling, storage and verification of Halal products to serve  
9 as basic requirements for certification as well as the accreditation of Halal abattoirs, outlets  
10 and other service establishments:

11 a. The food or product, or their ingredients, does not contain any components  
12 of animals and carrion that are prohibited under Shariah Law, or animals that are not  
13 slaughtered according to Shariah Law.

14 b. The food or product does not contain ingredients that are considered Najis by  
15 Shariah Law.

16 c. The food or product is not prepared, processed or manufactured using  
17 equipment that has been contaminated with Najis.

18 d. During its preparation, processing, storage or transportation, the food or  
19 product is fully separated from, and does not come in contact with, any other food or  
20 product that has been decreed Najis by Shariah Law or does not meet the requirements  
21 stated in items (a), (b) or (c) above.

22 e. Service establishments such as, but not limited to, hotels, restaurants, resorts  
23 and similar service facilities purposely established for and catering to Muslim patrons and  
24 abattoirs, factories, and similar establishments purposely producing Halal goods shall  
25 conform to the national standards on Halal certification and accreditation.

26 f. Labels of products that are certified Halal shall contain the word “Halal” or  
27 its equivalent term and should not be used in ways which could give rise to doubt about the  
28 safety of similar food or claims that halal foods are nutritionally superior to, or healthier  
29 than, other foods.

30 These guidelines shall be used together with the country’s existing provisions of law  
31 on the preparation, processing, manufacturing of food and non-food and other products in  
32 accordance with health, hygiene and sanitation standards and good manufacturing practices.

33 Section 5. **Philippine Halal Executive Council.** - A Philippine Halal Executive  
34 Council, hereinafter referred to as the Council, is hereby created and shall exist for a

1 transitory period of five (5) years pending its transformation into the Philippine Halal  
2 Certification and Accreditation Board established under Section 8 hereof.

3 The Council shall be chaired by the Secretary of the Department of Trade and  
4 Industry (DTI) and co-chaired by the Secretary of the Department of Agriculture (DA). The  
5 Executive Director of the Office on Muslim Affairs shall be the Vice-chairman and the  
6 Chief Operating Officer. The Council shall have as members the following representatives:

7 a. Two (2) representatives from the DTI composed of one (1) representative  
8 each from the Bureau of Export Trade and Promotion (BETP) and the Bureau of Product  
9 Standards (BPS) of the DTI;

10 b. Two (2) representatives from the Department of Agriculture composed of  
11 one (1) representative each from Bureau of Agriculture and Fisheries Product Standards  
12 (BAFPS) and the National Meat Inspection Commission (NMIC) of the DA;

13 c. One (1) representative from the Department of Health – Bureau of Food and  
14 Drugs (BFAD)

15 d. One (1) representative from the Department of Science and Technology (DOST)

16 e. One (1) representative from the National Food Authority - Food Development  
17 Center (NFA-FDC)

18 f. One (1) representative from the Office of Muslim Affairs (OMA) - Bureau of  
19 External Relations

20 g. One (1) representative from the Islamic Da'wah Council of the Philippines

21 h. One (1) representative from the Ulama Council of the Philippines

22 i. Two (2) representatives from the private sector to be nominated by the  
23 Philippine Exporter's Confederation, Inc.

24 Section 6. **Function of the Council.** - The Council shall establish the certification  
25 scheme for Halal food and non-food products and services and the accreditation system for  
26 establishments engaged in the manufacture, distribution and provision of the same and shall  
27 oversee the initial implementation of both programs. For this purpose, the Council shall  
28 issue Halal certification and/or accreditation which shall be valid for a period of one (1)  
29 year and renewable every year thereafter.

30 The Council shall promulgate such rules and regulations necessary for the effective  
31 implementation of this Act.

32 Section 7. **Halal Certification and Accreditation.** - The system guidelines  
33 established by the Council shall be called the Philippine Halal Certification and  
34 Accreditation Standards, hereinafter referred to as the Standards.

1           The Standards shall provide the specific guidelines for a comprehensive and  
2 integrated Philippine Halal certification and accreditation system that will govern the  
3 extraction, preparation, processing, manufacture and production, packaging, labeling,  
4 transportation, storage, marketing and distribution of Halal foods and products as well as the  
5 accreditation of Halal abattoirs, outlets, hotels, restaurants and concerned service  
6 establishments.

7           The Standards shall conform to existing international standards and guidelines on  
8 Halal.

9           The Council shall submit a final copy of the Standards to the President and to  
10 Congress within one (1) year from its creation.

11           Section 8. **Transition Period.** - The Council shall be deemed abolished five (5)  
12 years from its creation and shall be replaced by the Philippine Halal Certification and  
13 Accreditation Board, hereinafter referred to as the Board, which shall undertake the  
14 functions of the Council and continue to oversee the implementation of the Standards and  
15 this Act. The Board shall be an independent autonomous body, attached to the Office of the  
16 President, and shall be subject to existing laws, rules and regulations.

17           Section 9. **Composition of the Board.** - The Board shall be headed by a Chairman  
18 and assisted by two (2) Vice-Chairmen, all appointed by the President. The representatives  
19 from agencies in the defunct Council shall automatically constitute the Technical Advisory  
20 Committee of the Board.

21           The Chairman shall be the Chief Executive Officer.

22           Section 10. **Board Secretariat.** - The Board shall have a Secretariat, herein created,  
23 headed by an Executive Director who shall assist the Chairman in the day-to-day  
24 operations.

25           Section 11. **Congressional Oversight Committee.** - Three (3) years from the  
26 effectivity of this Act, a Congressional Oversight Committee composed of Senate  
27 Committees on Trade and Commerce and Cultural Communities, and the House of  
28 Representatives' Committees on Trade and Industry and Muslim Affairs, shall be  
29 constituted for the purpose of evaluating the implementation of the Philippine Halal  
30 certification and accreditation system under the supervision of the Council and if warranted,  
31 recommend the appropriate legislative measures to support, complement, supplement or  
32 amend this Act.

33           Section 12. **Appropriations.** - The amount necessary to carry out the effective  
34 implementation of this Act shall be charged against the current appropriations of the DTI,

1 and where covered by specific provisions of this Act, the Departments of Agriculture,  
2 Health, Science and Technology, the Office of Muslim affairs and other appropriate  
3 agencies. Thereafter, and after the creation of the Board, such funds as may be necessary  
4 for its continued implementation shall be included in the annual General Appropriations  
5 Act.

6 Section 13. **Separability Clause.** - Should any provision of this Act be  
7 subsequently declared unconstitutional, the other provisions not so declared shall remain in  
8 full force and effect.

9 Section 14. **Repealing Clause.** - All laws, decrees, orders, rules and regulations, or  
10 any part thereof, which are inconsistent herewith, are hereby repealed or amended  
11 accordingly.

12 Section 15. **Effectivity.** - This Act shall take effect fifteen (15) days after its  
13 publication in the Official Gazette or in a newspaper of general circulation in the  
14 Philippines.

15 Approved,