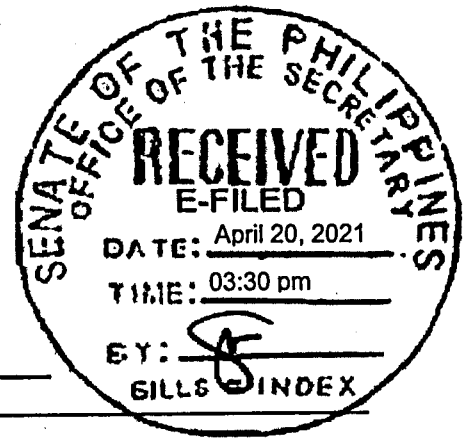


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE
P.S. Resolution No. 704



Introduced by **SENATOR IMEE R. MARCOS**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE FLAGRANT
VIOLATIONS OF THE DEPARTMENT OF AGRICULTURE AND THE
DEPARTMENT OF HEALTH IN THE IMPLEMENTATION OF REPUBLIC ACT
NO. 10611 OTHERWISE KNOWN AS THE "FOOD SAFETY ACT OF 2013"
RESULTING TO THE ENTRY OF HAZARDOUS AND CONTAMINATED
AGRICULTURAL PRODUCTS IN THE COUNTRY THEREBY CAUSING
OUTBREAKS DETRIMENTAL TO PUBLIC HEALTH AND THREAT TO THE
FOOD SECURITY OF THE COUNTRY

WHEREAS, Article XIII, Section 5 of the Constitution provides that the State shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services;

WHEREAS, Republic Act No. 10611, otherwise known as the "*Food Safety Act of 2013*", was enacted that stressed that the State shall protect the public from food-borne and water-borne illnesses and unsanitary, unwholesome, misbranded or adulterated foods, enhance industry and consumer confidence in the food regulatory system, and achieve economic growth and development by promoting fair trade practices and sound regulatory foundation for domestic and international trade;

WHEREAS, Section 12 of the said Act provides for procedures that must be complied with, *to wit*:

- (1) Food to be imported into the country must come from countries with an equivalent food safety regulatory system and shall comply with international agreements to which the Philippines is a party;
- (2) Imported foods shall undergo cargo inspection and clearance procedures by the Department of Agriculture (DA) and the DOH at the first port of entry to determine compliance with national regulations. This inspection by the DA and the DOH shall always take place prior to assessment for tariff and other charges by the Bureau of Customs (BOC). The BOC and the Association of International Shipping Lines (AISL) shall provide the DA and the DOH documents such as the Inward Foreign Manifest of Arriving Vessels

to enable the DA and the DOH to identify shipments requiring food safety inspection; and

(3) Exported food shall at all times comply with national regulations and regulations of the importing country”;

WHEREAS, Joint DA-DOH Administrative Order No. 2015-0007 was issued on 20 February 2015 which provides for the Implementing Rules and Regulations (IRR) of the said Act that states, *“Imported goods shall undergo cargo inspection and clearance by the DA and DOH at the first point of entry to determine compliance with national regulations. This inspection by the DA and the DOH shall always take place prior to the assessment or tariff and other charges by the BOC”*;

WHEREAS, despite the measures and policies promulgated, severe outbreaks have still affected the well-being and source of income of our local farmers due to the failure of the concerned government agencies to prevent the entry of hazardous products and manage the spread of highly communicable diseases brought about by imported products;

WHEREAS, on 15 April 2021, in a hearing by the Senate Committee of the Whole, the DA through Dr. Reildrin G. Morales Director of BAI admitted that there was only one existing Agriculture Commodity Examination Area (ACEA) and crematorium located in Manila due to lack of funding;

WHEREAS, Director Morales categorically admitted during the hearing that during *“first-border inspections”* there are no representatives from the DA and the Department of Health (DOH), which is contrary and clearly violative of the mandate of Section 12 of R.A. No. 10611;

WHEREAS, Dr. Morales further stated that only ten percent (10%) of the cargoes were inspected by the BOC while the other ninety percent (90%) is only checked during the *“second border inspection”* that is done at the cold storage facilities;

WHEREAS, as early as 2018 the DA through the Bureau of Animal Industry (BAI) allowed the entry of pork products and porcine meal from barred countries such as Hungary, Belgium, Germany, and China into the Philippines in violation of Memorandum Order No. 18 dated 27 June 2018 banning the importation of domestic and wild pigs and their products including pork meat and their semen from Hungary; Memorandum Order No. 31 issued on 17 September 2018 temporarily banning the importation of domestic and wild pigs and their products including pork meat and their semen from Belgium; Memorandum Order No. 23 issued on 30 August 2018 temporarily banning the importation of domestic and wild pigs and their products including pork meat and semen from Latvia, Poland, Romania, Russia, Ukraine and China; Memorandum Order No. 18 issued on 02 July 2019 which temporarily suspended the system accreditation of all foreign German meat establishments to export meat in the Philippines because of co-mingling of pork flat bones from Poland, which is an ASF affected country, with the legitimate importation from Germany, and

Memorandum Order No. 6 dated 08 March 2019 which imposed a temporary ban on the importation of processed porcine animal proteins originating from ASF Infected Countries;

WHEREAS, food security crisis in the Philippines intensified not only due to the effect of the COVID-19 pandemic but also due to the severe outbreak caused by the African Swine Flu (ASF) which affected local hog-raisers;

WHEREAS, the ASF outbreak which was first reported in the Philippines as early as August 2019 has significantly affected the livelihood of over 68,382 farmers in 12 regions, 40 provinces, 463 municipalities, and 2,402 barangays in the country;

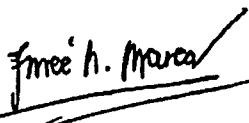
WHEREAS, due to the alleged drastic decrease in the local pork supply caused by the ASF, prices of pork in the local markets especially in the National Capital Region (NCR) sky-rocketed;

WHEREAS, the failure of DA and DOH to perform their functions as mandated by Republic Act No. 10611 to inspect imported food products at the first port of entry, as well as the act of DA in allowing the importation of meat products from barred countries, resulted to the entry of hazardous and contaminated products in the country, including the ASF;

WHEREAS, the country is on its track of importing a record high of meat products this year to address the shortage of meat products due to the ASF outbreak. Aside from the alarming issues raised on its effect on the local hog industries, it is imperative that the safety measures mandated by Republic Act No. 10611 must be strictly observed and implemented;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, directing the appropriate Senate committee to conduct an inquiry, in aid of legislation, into the flagrant violations of the Department of Agriculture and the Department of Health in the implementation of Republic Act no. 10611 otherwise known as the "Food Safety Act of 2013" resulting to the entry of hazardous and contaminated agricultural products in the country thereby causing outbreaks detrimental to public health and threat to the food security of the country.

Adopted,


IMEE R. MARCOS