


SENATE

RECEIVED BY: 

S. NO. 2139

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Aside from food production, the assurance that food is safe and protected from any harmful substance or spoilage is man's perennial quest for healthy living. To achieve this objective, the Philippine Legislature is submitting for enactment a policy measure which recognizes the importance of food technologists in nation building. As visioned in this bill, the country would 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.

Under this bill, it updates and redefines the practice of food technology as "as not being limited to the specification of raw materials and supervision of their procurement; supervision of production product quality assurance; quality control; quality improvement and product evaluation; including the evaluation of the microbiological, physical, chemical, and functional properties of food, and the conduct of basic and applied research towards development and/ or improvement of the safety and quality of food toward products." It shall also include teaching, lecturing and reviewing of subjects in Food Technology.

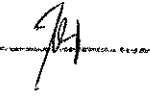
The other salient provisions of this policy measure are as follows:

- The creation of a Board composed of a Chairperson and two (2) Members who shall be appointed by the President of the Philippines from a list three (3) recommendees for each position recommended by the PRC and those submitted by the integrated and accredited association of food technologists;
- It adapts the food technologists profession to the requirements of the modern age;
- The provision for foreign reciprocity which allows a food technologist from the Philippines to practice their profession overseas on the condition that we shall accord the same privilege to foreign nationals.


ANTONIO "SONNY" F. TRILLANES IV
Senator

8 MAR 24 AM '08

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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 1

TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

SECTION 1. Title. - This Act shall be known as the "*Philippine Food Technology Act of 2008.*"

SEC. 2. Statement of Policy. - The State recognizes the importance of food technologists in nation building. Hence, it shall develop and nurture competent, virtuous, productive, and well-rounded professional food technologist, 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.

SEC. 3. Definition of Terms. - As used in this Act, the following terms shall mean:

a. *Food Technology* is the application of the physical, biological, and behavioral sciences to the conversion of raw materials into safe, stable, palatable, and nutritious foods. It includes the processes of handling, storage, processing, packaging, distribution and utilization of food;

1 b. *Food Technologist* refers to a person qualified to practice and technology as provided
2 in this Act and who is a holder of a valid certificate of registration and a valid professional
3 license issued by the Professional Regulatory Board of Food Technology and the Professional
4 Regulation Commission;

5 c. *The Scope of the Practice of Food Technology* within the meaning and intent of this
6 Act shall include, but not be limited to, the specification of raw materials and supervision of their
7 procurement; supervision of production product quality assurance, quality control, quality
8 improvement and product evaluation, including the evaluation of the microbiological, physical,
9 chemical, and functional properties of food; and the conduct of basic and applied research
10 towards development and/or improvement of the safety and quality of food products. It shall also
11 include teaching, lecturing, and reviewing of subjects in Food Technology.

12

13

ARTICLE II

14

CREATION OF THE PROFESSIONAL REGULATORY BOARD OF FOOD

15

TECHNOLOGY

16

SEC. 4. *Creation and Composition of the Board.* - There is hereby created a
17 Professional Regulatory Board of Food Technology, hereinafter called the Board, under the
18 administrative supervision of the Professional Regulation Commission, hereinafter referred to as
19 the Commission, to be composed of a Chairperson and two (2) Members who shall be appointed
20 by the President of the Philippines from a list of three (3) recommendees for each position
21 recommended by the Commission, from a list of five (5) nominees for each position chosen and
22 ranked by the integrated and accredited association of food technologists. The Board shall be
23 organized not later than six (6) months after the effectivity of this Act.

24

25

SEC. 5. *Powers and Functions of the Board.* - The Board shall have the following
26 powers and functions:

- 1 a. Promulgate, administer, and enforce rules and regulations necessary for carrying
2 out the provisions of this Act;
- 3 b. Supervise and regulate the registration, licensure, and practice of food technology
4 in the Philippines;
- 5 c. Administer oaths in connection with the administration of this Act;
- 6 d. Adopt an official seal of the Board;
- 7 e. Maintain a roster of food technologists indicating therein the basic information
8 about the registered professionals;
- 9 f. Issue, reinstate, suspend or revoke the certificate of registration and/or
10 professional license or cancel special permits for the practice of food
11 technology;
- 12 g. Monitor the conditions affecting the practice of food technology and adopt such
13 measures as may be deemed proper for the enhancement of the profession
14 and/or the maintenance of high professional, ethical and technical standards;
- 15 h. Ensure, in coordination with the Commission on Higher Education (CHED), that
16 all educational institutions offering food technology education comply with the
17 policies, standards, and requirements of the course prescribed by CHED in the
18 areas of curriculum, faculty, library and facilities;
- 19 i. Prescribe and/or adopt a Code of Ethics and a Code of Technical Standards for the
20 practice of food technology;
- 21 j. Hear or investigate any violation of this Act, its implementing rules and
22 regulations and the Code of Ethics for food technologists as shall come to the
23 knowledge of the Board, and for this purpose, to issue *subpoena duces tecum*
24 to secure the appearance of witnesses and the production of documents in
25 connection therewith: *Provided*, That the decision of the Board shall, unless
26 appealed to the Commission, become final and executory after fifteen (15)
27 days from receipt of judgment or decision;

- 1 k. Prescribe guidelines and criteria in the Continuing Professional Education (CPE)
2 program for food technologists;
- 3 l. Adopt a program for the full computerization of the licensure examination;
- 4 m. Prepare, adopt, and issue the syllabi of the subjects for examinations by
5 determining and preparing the questions which shall strictly be within the
6 scope of the syllabus of the subject for examination;
- 7 n. Grant registration without examination subject to approval by the Commission;
- 8 o. Issue special permits to persons admitted to the practice of food technology for a
9 specific duration of time, and certificates of recognition for advanced studies
10 researches and accomplishments that contribute to the enrichment of the
11 profession;
- 12 p. Discharge such other powers and functions as the Board may deem necessary for
13 the practice of the profession and the upgrading, enhancement, development,
14 and growth of food technology in the Philippines.

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

17

18 **SEC. 6. *Qualifications of the Chairman and Members of the Board.*** - The Chairman
19 and Members of the Board shall, at the time of their appointment, possess the following
20 qualifications:

- 21 a. Must be a natural born citizen and resident of the Philippines for the last five years;
- 22 b. Must be a holder of a Bachelor of Science in Food Technology degree as conferred by
23 a school, college or university in the Philippines or abroad whose food
24 technology program is recognized by CHED;
- 25 c. Must be a duly registered food technologist under this Act, with a valid certificate of
26 registration and professional license and has been in the active practice of the
27 profession in the Philippines for at least five years prior to his appointment;

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

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

9 f. Must not have been convicted by any competent court of an offense involving moral
10 turpitude.

11
12 **SEC. 7. *Term of Office.*** - The Chairman and members of the Board shall hold office for
13 a term of three (3) years or until their successors shall have been appointed and duly qualified:
14 *Provided,* That members of the first appointed Board shall hold office for the following terms:
15 One (1) member as chairman for three (3) years, one (1) member for two (2) years and one (1)
16 member for one (1) year.

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

22
23 **SEC. 8. *Compensation and Allowance of the Board.*** - The Chairman and Members of
24 the Board shall receive compensation and allowances comparable to that being received by the
25 Chairmen and Members of existing regulatory boards under the Commission as provided for in
26 the General Appropriations Act.

1 **SEC. 9. Removal of Board Members.** - Any vacancy in the Board shall be filled for the
2 unexpired portion of the term only.

3 The Chairperson or any member of the Board may be suspended or removed by the
4 President of the Philippines upon the recommendation of the Commission for neglect of duties;
5 incompetence; malpractice; commission or tolerance of irregularities in any examination given
6 by the Board, manipulation or rigging of the said examination, tampering of questions prior to
7 the conduct of the said examinations, or tampering of grades; or unprofessional or unethical
8 conduct, after due notice and hearing where his right to be heard, to defend himself, and to be
9 assisted by counsel shall be respected in a proper administrative investigation, or final judgment
10 involving criminal offense.

11
12 **SEC. 10. Supervision of the Board, Custodian of its Records, Secretariat, and Support**
13 **Services.** - The Board shall be under the administrative supervision of the Commission. All
14 records of the Board, including applications for examination papers and results, minutes of
15 deliberation, administrative cases, and other investigations involving food technologists shall be
16 kept by the Commission.

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

19
20 **SEC. 11. Annual Report.** - The Board shall, at the close of each calendar year, submit an
21 annual report to the Commission, giving detailed account of its proceedings, accomplishments
22 during the year, and recommending measures to be adopted, with the end in view of upgrading
23 and improving the conditions affecting the practice of food technology in the Philippines.

24
25 **ARTICLE III**
26 **EXAMINATION AND REGISTRATION**

1 **SEC. 12. Licensure Examination.** - Except as otherwise provided in this Act, every
2 applicant seeking to be a registered and licensed food technologist shall undergo an examination
3 to be given by the Board in such places and dates as the Commission may designate.

4
5 **SEC. 13. Qualification for Examinations.** - An applicant for the licensure examination
6 for food technologist shall establish to the satisfaction of the Board that:

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

13
14 **SEC. 14. Scope of Examination.** - The licensure examination shall cover the following
15 subjects:

- 16 a. Physical, Chemical, Biological, and Microbiological Principles;
- 17 b. Food Processing, Preservation, and Food Engineering;
- 18 c. Quality Evaluation of Food;
- 19 d. Food Laws and Regulations.

20 The Board may revise or exclude any of the above subjects and add new ones in case a
21 need arise.

22
23 **SEC. 15. Release of the Results of Examination.** - The Board and the Commission shall
24 correct and rate the licensure examination papers and shall release the examination results within
25 ten days after the said examination.

26

1 **SEC. 16. Ratings in the Examination.** - To pass the licensure examination, a candidate
2 for food technologist must obtain a passing rating of seventy five percent (75%) in each subject
3 given during the examination. *Provided, However,* that, a candidate who obtains a passing rating
4 in the majority of the subjects but obtains a rating in the other subjects/s below seventy five
5 percent (75%) but not lower than sixty percent (60%), shall be allowed to take one removal
6 examination on the subjects/s where he failed to obtain the passing rating. *Provided, Finally,* that
7 should the examinee fail to obtain a passing rating in the removal examination, he shall be
8 considered as having failed the entire licensure examination.

9

10 **SEC. 17. Issuance of the Certificate of Registration and Professional License.** - A
11 certificate of registration shall be issued to examinees who pass the licensure examination for
12 food technologists subject to payment of fees prescribed by the Commission. The certificate of
13 registration shall bear the signature of the Chairman of the Commission and the Members of the
14 Board, stamped with the official seal, indicating that the person named therein is entitled to
15 practice the profession with all the privileges appurtenant thereto. This certificate shall remain in
16 full force and effect until revoked or suspended in accordance with this Act.

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

21

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

27

1 **SEC. 19. *Registration Without Examination.*** - The Commission shall issue a certificate
2 of registration and professional license to the Chairman and members of the first Board of Food
3 Technology and to those who, on the date of the effectivity of this Act, have passed the
4 examination for food technologists given by the Civil Service Commission.

5 The same privilege shall be granted to qualified applicants who shall apply for
6 registration without taking the prescribed licensure examination and who are holders of a
7 Bachelor's Degree in Food Technology or allied fields of Nutrition, Agriculture, Biochemistry or
8 Molecular Biology, Chemistry, Fishery, Chemical Engineering, and who have been actively
9 practicing the profession of food technology for a period of at least five (5) years immediately
10 preceding the effectivity of this Act.

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

13
14 **SEC. 20. *Revocation or Suspension of the Certificate of Registration and Cancellation***
15 ***of Special Permit.*** - The Board may, after giving proper notice of hearing to the party concerned,
16 revoke the practitioner's certificate of registration, suspend him from the practice of his
17 profession, or cancel his special permit for any unprofessional or unethical conduct, malpractice,
18 or violation of any of the provisions of this Act, its rules and regulations, the Code of Ethics, and
19 the Code of Technical Standards for food technologists.

20
21 **SEC. 21. *Reinstatement, Reissuance or Replacement of Certificate of Registration and***
22 ***Professional License.*** - Two years after the date of revocation, the Board may, upon application
23 and far reasons deemed proper and sufficient, reinstate any revoked certificate of registration and
24 reissue a professional license, and in so doing, may, in its discretion, exempt the applicant from
25 taking another examination.

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

1

2 **SEC. 22. Roster of Food Technologists.** - The Board shall prepare, update, and maintain
3 a roster of food technologists which shall contain the name of each registered food technologist,
4 his residence and office addresses, the date of registration and issuance of certificates, and other
5 data which the Board may deem pertinent. The roster shall be open to the public, copies of which
6 shall be mailed to each person listed therein.

7

8 **SEC. 23. Issuance of Temporary or Special Permits.** – Without prejudice to the
9 requirements of existing laws on the practice by foreigners in the Philippines, the following
10 foreigners may be issued temporary or special permits to practice food technology in the
11 Philippines. *Provided, However,* That this practice of the profession shall be limited to the
12 particular work for which they are commissioned: *Provided, Further,* That the said temporary or
13 special permit shall be renewed every year:

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

22

23

ARTICLE IV

24

PRACTICE OF FOOD TECHNOLOGY

25 **SEC. 24. Prohibition on the Practice of Food Technology.** - No person shall practice or
26 offer to practice food technology in the Philippines or offer himself as food technologist, or use
27 the title, word, letter, figure, or any sign tending to convey the impression that he is a food

1 technologist or advertise or indicate in any manner whatsoever that he is qualified to perform the
2 work of food technologist unless he has satisfactorily passed the licensure examination given by
3 the Board, except as otherwise provided in this Act, and is a holder of a valid certificate of
4 registration and a valid professional license or a valid temporary/special permit duly issued to
5 him by the Board and the Commission.

6

7 **SEC. 25. *Prohibited Acts.*** - No person shall:

- 8 a. engage in the practice of food technology by representing himself as a food
9 technologist without a valid professional license or a valid certificate of
10 registration, or a valid temporary/special permit granted by the Board pursuant to
11 this Act;
- 12 b. represent himself as a food technologist during the time that his professional license is
13 not valid or that his certificate of registration has been suspended or revoked, or
14 that his temporary/ special permit is cancelled;
- 15 c. allow anybody to use his certificate of registration and/or professional license or
16 temporary/special permit as a food technologist to enable such unqualified
17 individual to engage in the practice of food technology;
- 18 d. use as his own the certificate of registration and/or professional license or
19 special/temporary permit of another.

20

21 **SEC. 26. *Oath.*** - All successful examinees or those allowed to register without licensure
22 examination given by the Board and the Commission shall be required to take their oath before
23 the Board or any member thereof and/or any official of the Commission or any person authorized
24 by law prior to the practice of food technology.

25

26 **SEC. 27. *Code of Ethics and Code of Technical Standards for Food Technologists.*** -
27 The Board shall adopt and promulgate the Code of Ethics and Code of Technical Standards for

1 food technologists prescribed and issued by the integrated and accredited national association of
2 food technologists.

3

4 **SEC. 28. *Continuing Professional Education (CPE) Program.*** - The CPE guidelines
5 shall be prescribed and promulgated by the Commission upon consultation with the Board,
6 which shall consult the integrated and accredited association of food technologists, affiliated
7 association of food technologists, and other concerned sectors. The Board shall created a CPE
8 Council that shall be composed of a chairman coming from the Board, a member from the
9 integrated and accredited association of food technologists and a member from the academe.

10

11 **SEC. 29. *Integration of Food Technologists.*** -All food technologists shall be integrated
12 into one (1) national organization, which shall be recognized by the Board and by the
13 Commission as the one and only integrated and accredited association of food technologists. A
14 food technologist duly registered with the Board shall automatically become a member of the
15 integrated and accredited association of food technologists, and shall receive the benefits and
16 privileges thereto, upon payment of the required fees and dues. Membership in the integrated and
17 accredited association shall not be a bar to membership in other association of food
18 technologists.

19

20 **SEC. 30. *Foreign Reciprocity.*** - No foreign food technologist shall be admitted to the
21 examination or be given a certificate of registration and a professional license or be entitled to
22 any of the privileges under this Act unless the country of which he is a subject or citizen
23 specifically permits Filipino food technologists to practice within its territorial limits on the same
24 basis as the subjects or citizens of such foreign state or country.

25

26 **SEC. 31. *Indication of License and Privilege Tax Receipt.*** - The food technologist shall
27 be required to indicate his registration/professional number and date of issuance, the duration of

1 validity, including the privilege tax receipt number on the documents he signs, or issues in
2 connection with the practice of his profession.

3

4

ARTICLE V

5

FINAL PROVISIONS

6 **SEC. 32. *Funding Provision.*** - Such sums as may be necessary to carry out the
7 provisions of this Act shall be included in the General Appropriations Act of the year following
8 its enactment into law and thereafter.

9

10 **SEC. 33. *Penal Provisions.*** - Any person who shall violate any of the provisions of this
11 Act or any of its implementing rules and regulations as promulgated by the Board subject to the
12 approval of the Commission shall, upon conviction, be punished by a fine of not less than Forty
13 Thousand Pesos but not more than One Hundred Fifty Thousand Pesos or by imprisonment of
14 not less than (6) months nor more than four (4) years, or both, at the discretion of the court.

15

16 **SEC. 34. *Implementing Rules and Regulation.*** - To implement the provisions of this
17 Act, the Board shall, subject to the approval of the Commission, promulgate the rules and
18 regulations and the Code of Ethics for food technologists within thirty (30) days after the
19 effectivity of this Act.

20

21 **SEC. 35. *Separability Clause.*** - If any section or provision of this Act shall be declared
22 invalid or unconstitutional, such shall not invalidate any other section or provision of this Act.

23

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

26

1 **SEC. 37. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in
2 the *Official Gazette* or in a major daily newspaper of national circulation whichever comes
3 earlier.

Approved,