

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

8 JUL 10 P2:04

SENATE

S. No. **2437**

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides that:

Section 15. The State shall protect and promote the right to health of people and instill health consciousness among them.

There has been a recent shift in eating habits from eating meat to eating vegetables. There are now entrepreneurs that introduced pre-mixed salads in the market. However, some makers of pre-mixed salads actually label their bags with instructions not to wash the contents prior to consumption. According to tests, however, the produce was found to have higher than usual amounts of bacteria. After washing the produce, these same tests showed reduced levels of bacteria.

There would be far fewer cases of food-borne illness if everyone followed certain guidelines for handling food safely. Unfortunately, many consumers have no access to this information. Providing consumers with information and access to experts for proper and safe handling and preparation of produce, as well as all food products, would greatly reduce the number of incidents of food poisoning, which would ultimately save lives.

This bill aims to require the posting of signages near pre-packed salads urging people to wash them before eating them.


MIRIAM DEFENSOR SANTIAGO

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1 AN ACT
2 REQUIRING THE POSTING OF SIGNS NEAR PRE-PACKAGED SALADS

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

5 SECTION 1. *Short Title.* – This act shall be known as the “Safe Packaged Salads Act of
6 2008.”

7 SECTION 2. *Declaration of Policy.* – The State shall protect and promote the right to
8 health of people and instill health consciousness among them. In line with this, the state is
9 requiring that signs be posted near pre-packaged salads urging people to wash them before eating
10 them.

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

12 (a) “retail food store” means any store selling food at retail, which store is not primarily
13 engaged in the sale of food for consumption on the premises;

14 (b) “pre-packaged” means a package which is (i) neither a hermetically-sealed can nor
15 stored at or below a temperature of zero degrees celcius in accordance with the instructions of
16 a manufacturer or processor, and (ii) which is packaged other than at the premises of the retail
17 food store; and

18 (c) “salad” means a product consisting mainly of leafy raw vegetables such as lettuce
19 and spinach.

20 SECTION 4. *Sign Requirement.* – (a) any retail food store which offers for sale any
21 pre-packaged salads shall conspicuously post a sign situated so as to be clearly visible to any
22 consumer inspecting such pre-packaged salads. Such sign shall read: “NOTICE: ALTHOUGH

1 A PACKAGE FOR BAGGED SALADS MAY READ THAT WASHING IS NOT
2 NECESSARY, IT IS ADVISABLE THAT THIS PRODUCE, ALONG WITH ALL OTHER
3 PRODUCE, BE WASHED THOROUGHLY BEFORE CONSUMPTION.”

4 (b) In addition, such sign shall state the current mailing address and telephone number
5 established by the Bureau of Food and Drug for receiving questions from consumers regarding
6 the proper methods of washing and/or safely preparing pre-packaged salads or any other food
7 product.

8 SECTION 5. *Font Size.* – Such sign required pursuant to this section shall be printed
9 with lettering that is legible and shall be at least three-quarters of an inch boldface type.

10 SECTION 6. *Penalties.* – Any person who violates any provision of this Act will be
11 punished by a minimum of six (6) months and a maximum of one (1) year imprisonment and a
12 fine of Five Thousand Pesos (Php 5,000.00).

13 SECTION 7. *Implementing Rules and Regulations.* – The Department of Health, shall
14 prescribe the necessary rules and regulations to implement this act.

15 SECTION 8. *Separability Clause.* – If any provision, or part hereof is held invalid or
16 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
17 valid and subsisting.

18 SECTION 9. *Repealing Clause.* – Any law, presidential decree or issuance, executive
19 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
20 with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

21 SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
22 publication in at least two (2) newspapers of general circulation.

23 Approved,

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