

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

9 MAR -3 P1:12

SENATE

S. No. 3114

RECEIVED

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

The protection of public health is the primary duty of the State. It is the mandate of the State to protect and promote the well being of its citizens. Towards this end, it is the duty of the State to protect the interests of consumers, promote their general welfare and establish standards of conduct for business and industry.

Article 23 of Republic Act No. 7394, otherwise known as the "Consumer Act of the Philippines" specifically provides that a food shall be deemed to be adulterated if it is, in whole or part, the product of a diseased animal or of an animal which has died other than by slaughter. Furthermore, Art. 41 of the same Act provides that any person who sells double dead meat shall, upon conviction, be subject to imprisonment of not less than one (1) year but not more than five (5) years, or a fine of not less than Five Thousand Pesos (P5,000.00) but not more than Ten Thousand Pesos (P10,000.00), or both such imprisonment and fine, in the discretion of the Court.

However, despite the existence of a law that prohibits and penalizes the selling of double dead meat, the proliferation of double dead meat in the market remains unabated.

According to the National Meat Inspection Service (NMIS), last 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. Moreover, last November 5, 2008, health officials reported that at least one villager died and 53 others were taken ill after eating "double dead" meat during a wake in the remote upland town of Suyo in Ilocos province.

Consumers are especially attracted to buy double dead meat because of their relatively low price. These double dead meat are widely considered to be harmful to consumers' health since the animals most likely died from various illnesses before being butchered and sold. These meat have a grayish tint to them which clearly indicate that blood had spread throughout the animal's flesh for not having undergone the normal slaughter procedures. The continued proliferation of these hot or double-dead meat deemed unfit for human consumption in various markets pose a health hazard to unsuspecting consumers.

As such, there is an urgent need to enact legislative intervention that will increase the penalty for persons, natural or juridical, found selling or distributing double dead meat in order to protect the health and welfare of the general public.

In view of the foregoing, early passage of this bill is earnestly sought.

MANUEL "LITO" M. LAPID
Senator


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AN ACT

AMENDING REPUBLIC ACT NO. 7394, OTHERWISE KNOWN AS "CONSUMER ACT OF THE PHILIPPINES" BY IMPOSING STIFFER PENALTIES FOR ANY PERSON, NATURAL OR JURIDICAL, WHO OFFERS TO SELL OR DISTRIBUTE, IN WHOLE OR PART, AN ADULTERATED MEAT PRODUCT OF A DISEASED ANIMAL OR OF AN ANIMAL WHICH HAS DIED OTHER THAN BY SLAUGHTER, OTHERWISE TERMED AS "DOUBLE DEAD MEAT" AND FOR OTHER PURPOSE

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

SECTION 1. Short Title. - This Act shall be known as the "**Consumer Protection from Adulterated Meat Act of 2009**".

SEC. 2. Declaration of Policy. - It is hereby declared the policy of the State to protect and promote the right to health of the people. It is the policy of the State to protect the interests of the consumer, promote his general welfare and to establish standards of conduct for business and industry. Towards this end, the State shall protect and safeguard the people from adulterated meat products that is harmful to the health of the general public and protect them against this deceptive and unconscionable sales practice.

SEC. 3. Art. 40. of Republic Act No. 7394, otherwise known as the "**Consumer Act of the Philippines**" is hereby amended in part to read as follows:

"Art. 41. Penalties. - (a) Any person who violates any of the provisions of Article 40 hereof shall, upon conviction, be subject to imprisonment of not less than [one (1)] **TWO (2)** year**S** but not more than [five (5)] **SIX (6)** years, or a fine of not less than [Five] **TEN**

thousand pesos [(P5,000.00)] **(10,000.00)** but not more than [Ten] **ONE HUNDRED** thousand pesos [(P10,000.00)] **(P100,000.00)**, or both such imprisonment and fine, in the discretion of the Court. “

SEC. 4. 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.

SEC. 5 Repealing Clause - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this act is hereby repealed, modified or amended accordingly.

SEC. 6. Effectivity Clause. - This Act shall take effect fifteen (15) days from the date of its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,