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SENATE

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Senate Bill No. 3388

(In Substitution of Senate Bill Nos. 373, 2612, and 2697,
taking into consideration House Bill No. 5490)

Introduced by Senators Trillanes IV, Pangilinan, and Villar

AN ACT
AMENDING REPUBLIC ACT NO. 9296, OTHERWISE KNOWN AS "THE MEAT INSPECTION
CODE OF THE PHILIPPINES"

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

1 SECTION 1. Section 4 of Republic Act No. 9296, otherwise known as "The Meat Inspection
2 Code of the Philippines," hereinafter referred to as the "Act" is hereby amended by inserting between
3 subsections 15 and 16, to be designated as subsection 16, to read, as follows:

4 "SEC. 4. *Definition of Terms.* - X X X

5 16. *HOT MEAT* - THE CARCASS OR PARTS OF CARCASS OR FOOD
6 ANIMALS WHICH WERE SLAUGHTERED FROM UNREGISTERED/
7 UNACCREDITED MEAT ESTABLISHMENTS AND HAVE NOT UNDERGONE THE
8 REQUIRED INSPECTION. IT ALSO INCLUDES UNDOCUMENTED, ILLEGALLY
9 SHIPPED, AND UNREGISTERED CARCASS, PARTS OF CARCASS AND MEAT
10 PRODUCTS COMING FROM OTHER COUNTRIES AND THOSE THAT ARE
11 CLASSIFIED AS HOT MEAT BY THE NATIONAL MEAT INSPECTION SERVICE
12 (NMIS);"

13 The succeeding subsections shall be renumbered accordingly.

14 SEC. 2. Section 7 of the Act is hereby amended to read, as follows:

15 "SEC. 7. *Composition of the NMIS.* - The NMIS shall be headed by an
16 executive director, A DEPUTY EXECUTIVE DIRECTOR AND REGIONAL
17 TECHNICAL DIRECTORS III, ALL APPOINTED BY THE PRESIDENT. The
18 administrative, technical and support services of the NMIS shall be strengthened as
19 may be appropriate and necessary to carry out effectively the provisions of this Act.

20 THE NMIS SHALL HAVE THE FOLLOWING DIVISIONS:

21 (A) PLANT OPERATION AND INSPECTION - WHICH SHALL BE
22 RESPONSIBLE FOR THE INSPECTION AND CERTIFICATION OF MEAT AND

1 MEAT PRODUCTS AND TECHNICAL SUPERVISION OF LOCAL GOVERNMENT
2 UNITS;

3 (B) ACCREDITATION AND REGISTRATION – WHICH SHALL BE
4 RESPONSIBLE FOR THE ACCREDITATION OF MEAT ESTABLISHMENTS,
5 RENDERING FACILITIES, MEAT TRANSPORT VEHICLES, MEAT
6 ESTABLISHMENT CONTRACTORS, FABRICATORS AND SUPPLIERS AND
7 THIRD PARTY SERVICE PROVIDERS AND REGISTRATION AND
8 CERTIFICATION;

9 (C) ENFORCEMENT AND FOOD DEFENSE – WHICH SHALL BE
10 RESPONSIBLE FOR THE ENFORCEMENT OF POLICIES AGAINST HOT MEAT
11 AND ADULTERATED OR MISBRANDED MEAT PRODUCTS, AND THE
12 PROTECTION OF MEAT PRODUCTS FROM HAZARDOUS CONTAMINANTS;

13 (D) MEAT IMPORT AND EXPORT ASSISTANCE AND INSPECTION –
14 WHICH SHALL EVALUATE FOREIGN MEAT ESTABLISHMENTS INTENDING TO
15 EXPORT TO THE PHILIPPINES, ACCREDIT MEAT IMPORTERS AND
16 EXPORTERS, INSPECT IMPORTED AND CERTIFY FOR EXPORT MEAT AND
17 MEAT PRODUCTS, AND PROVIDE TECHNICAL ASSISTANCE TO MEAT
18 EXPORTERS AND IMPORTERS;

19 (E) MEAT SCIENCE AND TECHNOLOGY – WHICH SHALL BE
20 RESPONSIBLE FOR THE TECHNICAL TRAINING OF VETERINARIANS AND
21 MEAT INSPECTORS ON MEAT INSPECTION, MANAGES DATA ON ANIMAL
22 SLAUGHTER, PROVIDES TECHNICAL ASSISTANCE TO THE LOCAL
23 GOVERNMENT UNITS IN THE DEVELOPMENT OF THE LGU MEAT CONTROL
24 OR INSPECTION SYSTEM, AND DEVELOPS SAFETY AND QUALITY
25 STANDARDS IN CONSULTATION WITH THE PRODUCT STANDARD SETTING
26 AGENCIES;

27 (F) LABORATORY SERVICES – WHICH SHALL PROVIDE ANALYTICAL
28 SERVICES TO DETECT CONTAMINANTS IN MEAT AND MEAT PRODUCTS AND
29 DATA ANALYSIS;

30 (G) CONSUMER INFORMATION, EDUCATION AND ASSISTANCE –
31 WHICH SHALL BE RESPONSIBLE IN CONDUCTING PROGRAMS TO INFORM,
32 EDUCATE AND ASSIST CONSUMERS ON MEAT SAFETY AND QUALITY,
33 CONDUCTS PROGRAMS TO PROMOTE MEAT SAFETY AND QUALITY, AND
34 MANAGES CONSUMER COMPLAINTS;

35 (H) LEGAL AFFAIRS – WHICH SHALL PROVIDE ADVISE ON ALL LEGAL
36 MATTERS CONCERNING THE MEAT CONTROL OR INSPECTION SYSTEM,
37 PROVIDE NMIS AND ITS PERSONNEL WITH LEGAL ASSISTANCE IN
38 LITIGATION INVOLVING NMIS INTEREST, CONDUCT PRELIMINARY
39 INVESTIGATION ON THE BASIS OF AND RECOMMEND THE FILING OF
40 APPROPRIATE LEGAL AND/OR ADMINISTRATIVE ACTIONS ON THE BASIS OF
41 ITS FINDINGS;

42 (I) PLANNING, MONITORING AND EVALUATION – WHICH SHALL BE
43 RESPONSIBLE FOR THE RESEARCH AND FORMULATION OF APPROPRIATE
44 POLICIES AND PROGRAMS, DEVELOPMENT OF THE NMIS MEDIUM AND
45 LONG TERM MASTER PLANS AND BUDGET REQUIREMENTS,
46 ESTABLISHMENT AND MAINTAINANCE OF NMIS DATA BANK;

1 (J) ENGINEERING AND CLIMATE CHANGE – WHICH SHALL PROVIDE
2 TECHNICAL ASSISTANCE ON THE CONSTRUCTION OF IN-HOUSE AND MEAT
3 ESTABLISHMENTS, ASSISTS IN THE DEVELOPMENT OF STANDARDS FOR
4 SLAUGHTERING AND PROCESSING EQUIPMENT, UTENSILS AND OTHER
5 PARAPHERNALIA USED IN MEAT INSPECTION, AND MANAGES CLIMATE
6 CHANGE PROGRAMS;

7 (K) ADMINISTRATIVE – WHICH SHALL PROVIDE AN ECONOMICAL,
8 EFFICIENT AND EFFECTIVE SERVICES PERTAINING TO HUMAN RESOURCE,
9 RECORDS, EQUIPMENT, SECURITY, LOGISTICS AND RELATED SERVICES; AND

10 (L) FINANCE – WHICH SHALL PROVIDE AN ECONOMICAL, EFFICIENT
11 AND EFFECTIVE FINANCE AND RELATED SERVICES AND SHALL ADMINISTER
12 THE MEAT INSPECTION SERVICE DEVELOPMENT TRUST FUND (MISDTF).

13
14 APPROPRIATE SECTIONS AND UNITS SHALL ALSO BE ESTABLISHED
15 TO FULLY COMPLEMENT THE ORGANIZATIONAL STRUCTURE OF THE
16 NMIS.”

17 SEC. 3. Section 9 of the Act is hereby amended to read, as follows:

18 “SEC. 9. *Regional Technical Operation Centers.* – Upon the effectivity of this
19 Act, the existing regional offices of the NMIS shall [be scaled down and transformed
20 into] **CONSIST OF THE** meat laboratories, [and technical operation centers]
21 **TECHNICAL, ADMINISTRATIVE AND FINANCE SERVICES** to be manned by [a
22 minimum number of medical and] technical, **ADMINISTRATIVE AND FINANCE**
23 personnel whose qualifications shall be determined by the Secretary of Agriculture
24 **AND APPROVED BY THE CIVIL SERVICE COMMISSION**, to effectively carry out
25 the provisions of this Act. Within two (2) years from the effectivity of this Act, the
26 functions of the [aforementioned regional/technical operation centers of the NMIS]
27 **NMIS-RTOC IN “AA” ACCREDITED MEAT ESTABLISHMENTS** shall be transferred
28 or devolved to the provincial government where said [offices] **MEAT**
29 **ESTABLISHMENTS** are located: *Provided*, That the Provincial Meat Inspection
30 Service are certified **BY THE NMIS** to be compliant with national standards.
31 However, certification **OF MEAT AND MEAT PRODUCTS FROM “AAA” MEAT**
32 **ESTABLISHMENTS WHICH ARE INTENDED** for international trade shall remain
33 with the NMIS.”

34 SEC. 4. Section 46 of the Act is hereby amended to read, as follows:

35 “SEC. 46. *UNIFIED Fees AND CHARGES OF NMIS AND LOCAL*
36 *GOVERNMENT UNITS.* – The Secretary, by way of regulation, and after public
37 hearing, shall prescribe [and charge] such reasonable fees **TO BE CHARGED BY THE**
38 **NMIS AND LOCAL GOVERNMENT UNITS** for services rendered. **THE SECRETARY**
39 **MAY REVISE SUCH FEES AFTER DUE NOTICE AND PUBLIC HEARING.** Amounts
40 collected from fees, fines and other charges by the NMIS shall be deposited with the
41 National Treasury and shall accrue to the General Fund.”

42 SEC. 5. Section 56 of the Act is hereby deleted and replaced with a new Section 56 to read, as

43 follows:

1 "SEC. 56. *FINES AND PENALTIES*. – ANY PERSON WHO COMMITS
2 VIOLATION OF ANY OF THE PROVISIONS OF THIS ACT, OR SHALL COMMIT
3 ANY OF THE PROHIBITED ACTS MENTIONED UNDER SECTIONS 48, 49, 50, 51,
4 52, 53, 54 UNDER CHAPTER XII OF REPUBLIC ACT 9296, OR SHALL SELL,
5 TRANSPORT, OFFER OR RECEIVE FOR SALE OR TRANSPORTATION IN
6 COMMERCE HOT MEAT AS HEREIN DEFINED, UPON CONVICTION, SHALL BE
7 PUNISHED BY IMPRISONMENT OF NOT LESS THAN SIX (6) YEARS AND
8 ONE(1) DAY BUT NOT MORE THAN TWELVE (12) YEARS OR A FINE OF NOT
9 LESS THAN ONE HUNDRED THOUSAND PESOS (P100,000.00) BUT NOT MORE
10 THAN ONE (1) MILLION PESOS (P1,000,000.00) OR BOTH SUCH FINE AND
11 IMPRISONMENT UPON THE DISCRETION OF THE COURT. THE OFFENDER
12 SHALL BE OBLIGED TO PAY TO THE CONCERNED CONSUMER WHATEVER
13 DAMAGE MAY HAVE BEEN SUFFERED BY THE LATTER AS A CONSEQUENCE
14 OF THE UNLAWFUL ACT.

15 IF THE OFFENDER IS A JURIDICAL PERSON, ALL OFFICERS SUCH AS,
16 BUT NOT LIMITED TO, ITS PRESIDENT, MANAGER, OR HEAD OF OFFICE
17 RESPONSIBLE FOR THEIR UNLAWFUL ACT SHALL BE CRIMINALLY LIABLE
18 THEREFOR, IN ADDITION TO THE CANCELLATION OF CERTIFICATES OF
19 ACCREDITATION AND/OR REGISTRATION.

20 IF THE OFFENDER IS A PUBLIC OFFICIAL, THE PENALTY SHALL
21 INCLUDE PERPETUAL DISQUALIFICATION TO HOLD PUBLIC OFFICE.

22 IN ADDITION, THE NMIS AND THE LOCAL GOVERNMENT UNITS
23 SHALL IMPOSE THE FOLLOWING ADMINISTRATIVE FINES AND PENALTIES:

24 (A) FOR SEC. 48 (A) AND (B) – CONFISCATION AS PROVIDED UNDER
25 SECTION 58 OF THIS ACT AND: A FINE OF FIFTY THOUSAND PESOS
26 (P50,000.00) FOR THE FIRST OFFENSE, A FINE OF SEVENTY FIVE THOUSAND
27 PESOS (P75,000.00) FOR THE SECOND OFFENSE, AND A FINE OF ONE
28 HUNDRED THOUSAND PESOS (P 100,000.00) PLUS PROHIBITION FROM
29 CONDUCTING BUSINESS FOR TWO (2) YEARS FOR THE THIRD AND
30 SUCCEEDING OFFENSES;

31 (B) FOR SEC. 48 (C) AND (D) – CONFISCATION AS PROVIDED UNDER
32 SECTION 58 OF THIS ACT AND: A FINE OF TWO HUNDRED THOUSAND PESOS
33 (P200,000.00) FOR THE FIRST OFFENSE, A FINE OF THREE HUNDRED
34 THOUSAND PESOS (P300,000.00) FOR THE SECOND OFFENSE, AND A FINE OF
35 FIVE HUNDRED THOUSAND PESOS (P500,000.00) PLUS PROHIBITION FROM
36 CONDUCTING BUSINESS FOR TWO (2) YEARS FOR THE THIRD AND
37 SUCCEEDING OFFENSES;

38 (C) FOR SECTIONS 49, 50, 51, 52 54 AND HOT MEAT – CONFISCATION
39 AS PROVIDED UNDER SECTION 58 OF THIS ACT AND: A FINE OF TWO
40 HUNDRED THOUSAND PESOS (P200,000.00) FOR THE FIRST OFFENSE, A FINE
41 OF THREE HUNDRED FIFTY THOUSAND PESOS (P300,000.0) FOR THE SECOND
42 OFFENSE, AND A FINE OF FIVE HUNDRED THOUSAND PESOS (P500,000.00)
43 PLUS PROHIBITION FROM CONDUCTING BUSINESS FOR THREE (3) YEARS
44 FOR THE THIRD AND SUCCEEDING OFFENSES; AND

45 (D) FOR SEC. 53 – SUSPENSION OF SIX (6) MONTHS FOR THE FIRST
46 OFFENSE, AND DISMISSAL FROM GOVERNMENT SERVICE FOR THE SECOND
47 VIOLATION.”

1 SEC. 6. If, for any reason, any provision of this Act is declared to be unconstitutional or
2 invalid, the other sections or provisions hereof which are not affected shall continue to be in full
3 force and effect.

4 SEC. 7. All laws, decrees, executive orders and other administrative issuances and parts
5 thereof which are inconsistent with the provisions of this Act are hereby deemed repealed, amended
6 or modified accordingly.

7 SEC. 8. This Act shall take effect after fifteen (15) days from its publication in the *Official*
8 *Gazette* or two (2) newspapers of general circulation.

Approved,