



13 JUL -8 AM 11:42

SENATE
S. No. 567

RECEIVED BY: *ja*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Pets are often considered special members of a household, providing years of companionship, security, and psychological therapy to their owners. In return, these domesticated animals rely on their owners to provide care and sustenance. Undoubtedly, food plays a crucial role in an animal's health. To address the nutritional needs of their pets, most owners rely on commercial food that is either locally manufactured or imported.

Republic Act No. 7394, otherwise known as "The Consumer Act of the Philippines," was enacted in order to protect the consumer against food and other products that pose a hazard to health and safety. However, the law defines food as that which is meant for human consumption only. Thus, food meant for household pets are not covered by this law.

But the realities of animal health are not much different from human health; if a diet of toxins is consumed, disease and death will follow. Recent studies in the United States and Australia have shown processed food to be a factor in an increasing numbers of pets suffering from cancer, arthritis, obesity, dental disease, and heart disease. Other studies have shown a widespread intolerance of commercial foods where this rejection can show up either as violent sickness or chronic health problems.

To address this and similar problems, manufacturers and retailers must be required to supply adequate information and education on the products they offer to the market, in order to facilitate sound choice. Consumers must also have rights and means of redress. Manufacturers must be held strictly liable for defects on any product which they put out in the market and causes injury to vulnerable and unsuspecting animals.

This bill requires pet food manufacturers to label their products properly, and for any manufacturer, producer, and importer to be liable for redress, independently of fault, for damages caused to consumers by product defects.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
als.

¹ This bill was originally filed during the Fifteenth Congress, First Regular Session.



13 JUL -8 AM 11:42

SENATE
S. No. 567

RECEIVED BY: *Jiu*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 REQUIRING PET FOOD MANUFACTURERS TO LABEL THEIR PRODUCTS PROPERLY,
3 AND PROVIDING FOR THE LIABILITY OF MANUFACTURERS, PRODUCERS,
4 IMPORTERS, TRADESMEN, AND RETAILERS FOR DAMAGES TO CONSUMERS
5 CAUSED BY THEIR DEFECTIVE PRODUCTS

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Pet Food Act.”

7 SECTION 2. *Definition of Terms.* – For purposes of this Act, the term:

8 (a) “All Life Stages” shall mean gestation/lactation, growth, and adult maintenance
9 life stages;

10 (b) “Immediate Container” shall mean the unit, can, box, tin, bag, or other receptacle
11 or covering in which a pet food or specialty pet food is displayed for sale to retail purchasers, but
12 does not include containers used as shipping containers;

13 (c) “Ingredient Statement” shall mean a collective and contiguous listing on the label
14 of the ingredients of the pet food or specialty pet food;

15 (d) “Pet” shall mean any domesticated animal normally maintained in or near the
16 household(s) of the owner(s) thereof;

17 (e) “Pet food” shall mean any commercial feed prepared and distributed for
18 consumption by pets;

19 (f) “Principal Display Panel” shall mean the part of a label that is most likely to be
20 displayed, presented, shown, or examined under normal and customary conditions of display for
21 retail sale;

1 (g) "Specialty Pet" shall mean any domesticated pet animal normally maintained in a
2 cage or tank, such as, but not limited to, gerbils, hamsters, canaries, finches, parrots, other cage
3 birds, tropical fish, goldfish, snakes, turtles, and iguanas; and

4 (h) "Specialty Pet Food" shall mean any commercial feed prepared and distributed
5 for consumption by specialty pets.

6 SECTION 3. *Implementing Agency.* – The Department of Trade and Industry (DTI) shall
7 be the implementing agency of this Act. The DTI shall (a) monitor all outlets and distributors of
8 pet food; (b) enforce recalls of pet food found to pose a health hazard to pets; and (c) perform
9 such other functions to effectively implement this Act.

10 SECTION 4. *Label Format and Labeling.* –

11 (a) Pet food and specialty pet food shall be labeled with the following information
12 prescribed in this section:

13 (1) Product name and brand name, if any, on the principal display panel;

14 (2) The species of pet or specialty pet for which the food is intended
15 conspicuously designated on the principal display panel;

16 (3) Quantity; on the principal display panel;

17 (4) Ingredient statement as stipulated in section 5(a);

18 (5) Feeding directions if required under section 6; and

19 (6) Name and address of the manufacturer or distributor as stipulated in
20 Section 7.

21 (b) When a pet food or specialty pet food enclosed in an outer container or wrapper is
22 intended for retail sale, all required label information shall appear on the outer container or
23 wrapper.

24 (c) A vignette, graphic, or pictorial representation on a pet food or specialty pet food
25 label shall not misrepresent the contents of the package.

1 (d) The use of the word “proven” in connection with a label claim for a pet food or
2 specialty pet food is not permitted unless the claim is substantiated by scientific or other
3 empirical evidence.

4 (e) No statement shall appear upon the label or labeling of a pet food or specialty pet
5 food which makes false or misleading comparisons between that product and any other product.

6 (f) A personal or commercial endorsement is permitted on a pet food or specialty pet
7 food label provided the endorsement is not false or misleading.

8 (g) A statement on a pet food or specialty pet food label stating “Improved,” “New,”
9 or similar designation shall be substantiated and limited to six (6) months’ production.

10 (h) A statement on a pet food or specialty pet food label stating preference or
11 comparative attribute claims shall be substantiated and limited to one (1) year production, after
12 which the claim shall be removed or re-substantiated.

13 SECTION 5. *Ingredients.* –

14 (a) Each ingredient of a pet food or specialty pet food shall be listed in the ingredient
15 statement as follows:

16 (1) The names of all ingredients in the ingredient statement shall be shown in
17 letters or type of the same size and color;

18 (2) The ingredients shall be listed in descending order by their predominance
19 by weight in non-quantitative terms;

20 (3) Ingredients shall be listed and identified by the name and definition; and

21 (4) Any ingredient for which no name and definition have been so established
22 shall be identified by the common or usual name of the ingredient.

23 (b) The ingredients “meat” or “meat by-products” shall be qualified to designate the
24 animal from which the meat or meat by-products are derived unless the meat or meat by-
25 products are derived from cattle, swine, sheep, goats, or any combination thereof. For example,
26 ingredients derived from horses shall be listed as “horsemeat” or “horsemeat by-products.”

27 (c) Brand or trade names shall not be used in the ingredient statement.

1 (d) A reference to the quality, nature, form, or other attribute of an ingredient shall be
2 allowed when the reference meets all of the following:

3 (1) The designation is not false or misleading;

4 (2) The ingredient imparts a distinctive characteristic to the pet food or
5 specialty pet food because it possesses that attribute; and

6 (3) A reference to quality or grade of the ingredient does not appear in the
7 ingredient statement.

8 SECTION 6. *Feeding Directions.* –

9 (a) Dog or cat food, including snacks or treats, shall list feeding directions on the
10 product label. These directions shall be consistent with the intended use(s) indicated in the
11 nutritional adequacy statement, unless a limited use or more limited life stage designation is
12 declared elsewhere (e.g., “adult formula”). These directions shall be expressed in common terms
13 and shall appear prominently on the label. Feeding directions shall, at a minimum, state “Feed
14 (weight/unit of product) per (weight only) of dog (or cat).” The frequency of feeding shall also
15 be specified.

16 (b) When a dog or cat food is intended for use by or under the supervision or
17 direction of a veterinarian, the statement: “Use only as directed by your veterinarian” may be
18 used in lieu of feeding directions.

19 (c) Specialty pet food, including snacks or treats, shall list feeding directions on the
20 product label. These feeding directions shall be adequate to meet the nutrient requirements of the
21 intended species of specialty pet. These directions shall be expressed in common terms and shall
22 appear prominently on the label. The frequency of feeding shall also be specified.

23 SECTION 7. *Manufacturer or Distributor; Name and Address.* –

24 (a) The label of a pet food or specialty pet food shall specify the name and address of
25 the manufacturer or distributor. The statement of the place of business shall include the street
26 address, and city; however, the street address may be omitted if such street address is shown in a
27 current city directory or telephone directory for the city listed on the label.

1 (b) When a person manufactures or distributes a pet food or specialty pet food in a
2 place other than the principal place of business, the label may state the principal place of
3 business in lieu of the actual place where each package of such pet food or specialty pet food
4 was manufactured or packaged or from where each package is to be distributed.

5 SECTION 8. *Recall of Defective Products.* – The DTI shall immediately enforce a recall
6 of pet food that has been found to pose a health risk to pets. Manufacturers of such food shall
7 immediately comply with the order and advise the public to stop using the pet food and return
8 the items to the distributors for refund or exchange.

9 SECTION 9. *Liability of the Manufacturer, Producer, Importer, Tradesman, and*
10 *Retailer.* – Any Filipino or foreign manufacturer, producer, and any importer, shall be liable for
11 redress, independently of fault, for damages caused to consumers by defects resulting from the
12 design, manufacture, construction, assembly and erection, formulas, handling, presentation, or
13 packing of their products, as well as for the insufficient or inadequate information on the use and
14 hazards thereof. All other provisions of Republic Act No. 7394, otherwise known as “The
15 Consumer Act of the Philippines” under the chapter on liability of the manufacturer, producer,
16 importer, tradesman, and seller for defective product or service, shall be applicable to violations
17 of this Act.

18 SECTION 10. *Implementing Rules and Regulations.* – Not later than ninety (90) days
19 after the effectivity of this Act, the Secretary of Trade and Industry shall promulgate the
20 Implementing Rules and Regulations of this Act.

21 SECTION 11. *Separability Clause.* — If any provision, or part hereof, is held invalid or
22 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
23 valid and subsisting.

1 SECTION 12. *Repealing Clause.* – Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent
3 with the provision of this Act is hereby repealed, modified, or amended accordingly.

4 SECTION 13. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
5 publication in at least two (2) newspapers of general circulation.

Approved,