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SENATE
S. No. 906

BY:  BY: 

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, it is important to recognize the importance of food technologists in nation-building. As envisioned in this bill, the country shall endeavor to 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.

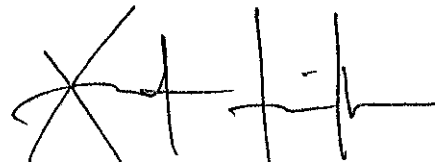
This bill updates and redefines the practice of food technology as:

"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.

Salient provisions of this policy measure include 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. This bill, in general, aims to adapt the food technologists profession to the requirements of the modern age.

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



ANTONIO "SONNY" F. TRILLANES IV
Senator

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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
2013.*"

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

1 nutritious foods. It includes the processes of handling, storage, processing,
2 packaging, distribution and utilization of food;

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

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

17 ARTICLE II

18 CREATION OF THE

19 PROFESSIONAL REGULATORY BOARD OF FOOD TECHNOLOGY

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

1 **SEC. 5. Powers and Functions of the Board.** - The Board shall have the following

2 powers and functions:

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

1 appealed to the Commission, become final and executory after fifteen (15) days
2 from receipt of judgment or decision;

3 k. Prescribe guidelines and criteria in the Continuing Professional Education (CPE)
4 program for food technologists;

5 l. Adopt a program for the full computerization of the licensure examination;

6 m. Prepare, adopt, and issue the syllabi of the subjects for examinations by
7 determining and preparing the questions which shall strictly be within the scope
8 of the syllabus of the subject for examination;

9 n. Grant registration without examination subject to approval by the Commission;

10 o. Issue special permits to persons admitted to the practice of food technology for a
11 specific duration of time, and certificates of recognition for advanced studies
12 researches and accomplishments that contribute to the enrichment of the
13 profession;

14 p. Discharge such other powers and functions as the Board may deem necessary for
15 the practice of the profession and the upgrading, enhancement, development, and
16 growth of food technology in the Philippines.

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

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

23 a. Must be a natural born citizen and resident of the Philippines for the last five
24 years;

25 b. Must be a holder of a Bachelor of Science in Food Technology degree as
26 conferred by a school, college or university in the Philippines or abroad whose
27 food technology program is recognized by CHED;

- 1 c. Must be a duly registered food technologist under this Act, with a valid certificate
2 of registration and professional license and has been in the active practice of the
3 profession in the Philippines for at least five years prior to his appointment;
- 4 d. Must be a member in good standing of the integrated and accredited association
5 of food technologists;
- 6 e. Must have no any pecuniary interest, directly or indirectly, in any school,
7 academy, college, university or institution conferring an academic degree
8 necessary for admission to the practice of food technology or where review
9 classes in preparation for the licensure examination are being offered or
10 conducted, nor shall he be a member of the faculty or of the administration
11 thereof at the time of his appointment to the Board; and
- 12 f. Must not have been convicted by any competent court of an offense involving
13 moral turpitude.
- 14

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

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

25

26 **SEC. 8. Compensation and Allowance of the Board.** - The Chairman and Members of
27 the Board shall receive compensation and allowances comparable to that being received by the

1 Chairmen and Members of existing regulatory boards under the Commission as provided for in
2 the General Appropriations Act.

3
4 **SEC. 9. *Removal of Board Members.*** - Any vacancy in the Board shall be filled for the
5 unexpired portion of the term only.

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

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

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

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

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.

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

5

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

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

19

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

24

25 **SEC. 27. *Code of Ethics and Code of Technical Standards for Food Technologists.*** -

26 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.

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,