

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

13 AUG 29 25:10

SENATE
S. No. 1442

RECEIVED BY: ji

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

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

The Constitution, Article 13, Section 12 provides:

The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems.

Seafood is consumed all over the world. It provides the world's prime source of high-quality protein: one billion people rely on seafood as their primary source of animal protein. As the most traded food commodity worldwide, seafood has to be labeled correctly in order to protect consumers' health.

It is important for customers to be guaranteed of the quality of a product and assured that it has been processed in accordance with internationally accepted standards of cleanliness and hygiene which preserve the nutritional value of the product. However, according to US FDA reports, due to globalization, fraud in labeling is becoming increasingly common in seafood trade.

As we noticed seafood is poorly labeled compared with the most food products. In the case of meat for example, consumers generally are informed of the

species and cut of the meat, and may get information on where the meat was produced or how it was grow. In contrast, consumers often do not even know which species of seafood they purchase, nor its origin, nor how it was caught, and processed (e.g. smoked fish, dried fish and locally named as “bagoong” sold in wet markets).

There is a growing concern among consumers as to the safety, nutritional value, and environmental 'friendliness' of the food they purchase. It is also important to know if the food contains potential allergens. This new nutritional and comprehensive detail labeling design gives people consistent information to help consumers make healthier choices in their diet, and avoid food poisoning caused by eating contaminated seafood. For the local produce seafood, the place of origin from which the seafood was caught should be stated. The bill requires that large retailers (such as supermarkets) selling fresh or frozen fish indicate the country or province from which the fish came from and whether it is wild-caught or farm-raised, whether it was treated with any substance other than water, and other information.

This bill, which shall require the comprehensive labeling of seafood sold commercially, is intended to strengthen traceability - the ability to trace fisheries products from sea to market and allow consumers to choose their seafood according to specific criteria that might be of concern to them. This bill provides penalties for violations of this Act.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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'13 AUG 29 P5:10

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO REQUIRE COMPREHENSIVE DETAIL LABELING OF SEAFOOD
3 SOLD IN THE PHILIPPINES AND PROVIDE PENALTIES FOR
4 VIOLATIONS OF THE LABELING REQUIREMENTS

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

5 SECTION 1. Short Title. - This Act shall be known as the "Comprehensive
6 Detail Seafood Labeling System"

7 SECTION 2. Definitions. -For purposes of this Act, the term:

8 (1) "Seafood" means, any form of sea life regarded as food by
9 humans. Seafood prominently includes fish and shellfish.

10 (2) "Fresh water seafood" means, the term "seafood" is extended
11 to fresh water organisms eaten by humans, so all edible aquatic
12 life may be referred to as seafood

13 (3) "Canned and Bottled Seafood" means preserve by sealing in a
14 can, jar, frozen or packed in ice of every kind and character.

15 (4) "Retailer" means person engaged in the business of selling
16 consumer products directly to consumers.

17 SECTION 3. Indication of Country of Origin of Imported and Local Seafood.

18 (1) NOTICE OF COUNTRY/REGION OF ORIGIN REQUIRED - A
19 retailer of imported or local produce seafood into the Philippines,
20 shall inform consumers, at the final point of sale of the imported or
21 local seafood to consumers, of the country of origin of the imported
22 seafood or what place it came from if it was locally caught.
23

1 (2) METHOD OF NOTIFICATION-

2 (A) IN GENERAL – The information required by subsection (1)
3 may be provided to consumers by means of a label, stamp, mark,
4 placard, or other clear and visible sign on the imported seafood or on the
5 package, display, holding unit, or bin containing the seafood at the final
6 point of sale to consumers.

7 (B) LABELED COMMODITIES - If the imported seafood is
8 already individually labeled regarding country of origin by the packer,
9 importer, or another person, the retailer shall not be required to provide
10 any additional information to comply with this Section.

11 (1) If seafood has been previously frozen, treated with any
12 substance (other than ice or water) that may affect the true weight
13 of the seafood, or processed in a country other than that in which
14 it was landed or harvested, by any harvester, processor,
15 distributor, or retailer, such information shall be included in the
16 labeling of, or otherwise accompany, the seafood through
17 processing, distribution, and final sale.

18 (2) If the seafood was farm-raised, that information, along with
19 information regarding the country of cultivation, the location of
20 the aquaculture production area, and the method of cultivation,
21 shall be included in the labeling of, or otherwise accompany, the
22 seafood through processing, distribution, and final sale.

23 (3) With respect to any information required by paragraph (1) or
24 (2) to be included in the labeling of, or otherwise accompany,
25 seafood, an importer, processor, distributor, or retailer (including a
26 restaurant) may satisfy such requirement by making the
27 information available upon request--

28 (A) to anyone purchasing the seafood; and

29 (B) to any national, provincial, or local official authorized
30 to conduct inspections of--

31 (i) seafood or any facility that processes or sells
32 seafood.

1 (4) No importer, processor, distributor, or retailer may be found to
2 be in violation of the requirements under this subsection for
3 unknowingly selling a product that was already mislabeled upon
4 receipt, provided that the importer, processor, distributor, or
5 retailer can provide the required product traceability
6 documentation.

7
8 (3) APPLICATION OF SECTION - This Act shall apply with respect to
9 the seafood imported and local produce in the Philippines after the end
10 of the 6- month period beginning on the date of the enactment of this
11 Act.

12
13 SECTION 4. Regulations. - Not later than six (6) months after the enactment
14 of this Act, the Department Trade and Industry (DTI) shall promulgate rules
15 and regulations to carry out the provisions on this Act.

16
17 SECTION 5. *Lead Agency.* - The Department Trade and Industry (DTI) in
18 coordination with the Department of Health (DOH) and the Food and Drug
19 Administration (FDA) shall issue the necessary rules and regulations for
20 effective implementation of the Act.

21
22 SECTION 6. Penalties. - Any person who shall violate any provision of this
23 Act shall upon conviction, be subject to a fine of not less than One Thousand
24 Pesos (P10,000.00) but not more than Ten Thousand Pesos (P50,000.00) or
25 imprisonment of not less than two (2) months but not more than one (1) year,
26 or both upon the discretion of the court. If the offender is an alien, he shall be
27 deported after service of sentence and payment of line without further
28 deportation proceedings.

29
30 SECTION 7. Separability Clause. - If any provision or part hereof, is held
31 invalid or unconstitutional, the remainder of the law of the provision not
32 otherwise affected shall remain valid and subsisting.

1 SECTION 8. Repealing Clause. - Any law, presidential decree or issuance,
2 executive order, letter of instruction, administrative order, male or regulation
3 contrary to or inconsistent with the provisions of this Act is hereby repealed,
4 modified or amended accordingly.

5

6 SECTION 9. Effectivity Clause. - This Act shall take effect fifteen (15) days
7 after its publication in at least two (2) newspapers of general circulation.

8

9 Approved,