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SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )

RECEIVED BY: \_\_\_\_\_

SENATE

S. No. 1269

(In Substitution of Senate Bill No. 565)

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Prepared Jointly by the Committees on Civil Service and Government Reorganization  
and Professional Regulation and Finance with Senators Antonio "Sonny" F. Trillanes  
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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 I

TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

SECTION 1. *Title.* - This Act shall be known as the "*Philippine Food Technology  
Act of 2016.*"

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.

1           **SEC. 3. *Definition of Terms.*** - As used in this Act, the following terms shall mean:

- 2           a)     *Food* refers to any substance or product whether processed, partially processed  
3                     or unprocessed that is intended for human consumption. It includes drinks,  
4                     chewing gum, water and other substances, which are intentionally  
5                     incorporated into the food during its manufacture, preparation and treatment.
- 6           b)     *Food Technology* is the application of science and related fields of study in  
7                     postharvest handling, preparation, processing, packaging, storage and  
8                     distribution of food to ensure food security and well being of individuals,  
9                     families and communities. It includes the social, cultural, economic,  
10                    managerial and environmental aspects of the food system.
- 11          c)     *Food Technologist* refers to a person qualified to practice food technology as  
12                     provided in this Act and who is a holder of a valid certificate of registration  
13                     and a valid professional license issued by the Professional Regulatory Board  
14                     of Food Technology and the Professional Regulation Commission;
- 15          d)     *Specification of the microbiological* is a certification of the microbiological,  
16                     physical, chemical sensory and functional properties of food.

17

18           **SEC. 4. *Scope of Practice of Food Technology.*** – The following, and similar  
19 activities, shall be the functions of the registered food technologist:

- 20           A. Specification of raw materials and supervision of their procurement;
- 21           B. Supervision of food processing operation;
- 22           C. Evaluation of the microbiological, physical, chemical, sensory and functional  
23           properties of food;
- 24           D. Certification of the analysis of microbiological, physical, chemical, sensory and  
25           functional properties of food;

1 E. Technical transactions (e.g. sale, trading) of food, food ingredients and additives,  
2 and machineries, equipment and implements used in safe and quality food production  
3 and distribution;

4 F. Conduct of basic and applied research towards development and/or improvement of  
5 the safety and quality of food products;

6 G. Teaching, lecturing and reviewing of a professional subject in the curriculum of  
7 the bachelor of science in food technology degree or subject in the food technology  
8 licensure examination given in any college, university or training or review center, or  
9 any other educational institution or certification body;

10 H. Compliance with food laws and regulations in manufacturing and distribution of  
11 foods in the local and international markets;

12 I. Implementation of quality management systems (food safety, laboratory  
13 management, quality requirements, ad quality audit);

14 J. Provision of assistance in waste management for environmental safety; and

15 K. Consultation work related to any or all of the above functions.

16 L. Procurement of chemicals, reagents, equipment, apparatus and other materials for  
17 the conduct of food analysis, research and development.

## 18 19 **ARTICLE II**

### 20 **Creation Of The**

#### 21 **Professional Regulatory Board of Food Technology**

22 **SEC. 5 *Creation and Composition of the Board.*** - There is hereby created a  
23 Professional Regulatory Board of Food Technology, hereinafter called the Board, under the  
24 administrative supervision of the Professional Regulation Commission (PRC), hereinafter  
25 referred to as the Commission, to be composed of a Chairperson and two (2) members who

1 shall be appointed by the President of the Philippines from a list of three (3) recommendees  
2 for each position recommended by the Commission, from a list of five (5) nominees for each  
3 position chosen and ranked by the integrated and accredited association of food technologists.  
4 The Board shall be organized not later than six (6) months after the effectivity of this Act.  
5

6           **SEC. 5. Powers and Functions of the Board.** - The Board shall have the following  
7 powers and functions:

- 8           a) Promulgate, administer, and enforce rules and regulations necessary for  
9 carrying out the provisions of this Act;
- 10           b) Supervise and regulate the registration, licensure, and practice of food  
11 technology in the Philippines;
- 12           c) Administer oaths in connection with the administration of this Act;
- 13           d) Adopt an official seal of the Board;
- 14           e) Maintain a roster of food technologists indicating therein the basic information  
15 about the registered professionals;
- 16           f) Issue, reinstate, suspend or revoke the certificate of registration and/or  
17 professional license or cancel special permits for the practice of food  
18 technology;
- 19           g) Monitor the conditions affecting the practice of food technology and adopt  
20 such measures as may be deemed proper for the enhancement of the  
21 profession and/or the maintenance of high professional, ethical and technical  
22 standards;
- 23           h) Ensure, in coordination with the Commission on Higher Education (CHED),  
24 that all educational institutions offering food technology education comply

1 with the policies, standards, and requirements of the course prescribed by  
2 CHED in the areas of curriculum, faculty, library and facilities;

3 i) Prescribe and/or adopt a Code of Ethics and a Code of Technical Standards for  
4 the practice of food technology;

5 j) Hear or investigate any violation of this Act, its implementing rules and  
6 regulations and the Code of Ethics for food technologists as shall come to the  
7 knowledge of the Board, and for this purpose, to issue *subpoena duces tecum*  
8 to secure the appearance of witnesses and the production of documents in  
9 connection therewith: *Provided*, That the decision of the Board shall, unless  
10 appealed to the Commission, become final and executory after fifteen (15)  
11 days from receipt of judgment or decision;

12 k) Prescribe guidelines and criteria in the Continuing Professional Development  
13 (CPD) program for food technologists;

14 l) Adopt a program for the full computerization of the licensure examination;

15 m) Prepare, adopt, and issue the syllabi of the subjects for examinations by  
16 determining and preparing the questions which shall strictly be within the  
17 scope of the syllabus of the subject for examination;

18 n) Grant registration without examination subject to approval by the  
19 Commission;

20 o) Issue special permits to persons admitted to the practice of food technology for  
21 a specific duration of time, and certificates of recognition for advanced studies  
22 researches and accomplishments that contribute to the enrichment of the  
23 profession; and,

- 1 p) Discharge such other powers and functions as the Board may deem necessary  
2 for the practice of the profession and the upgrading, enhancement,  
3 development, and growth of food technology in the Philippines.

4 The policies, resolutions, rules and regulations, orders or decision issued or  
5 promulgated by the Board shall be subject to the review and approval of the Commission.  
6

7 **SEC. 6. *Qualifications of the Chairman and Members of the Board.*** - The Chairman  
8 and Members of the Board shall, at the time of their appointment, possess the following  
9 qualifications:

- 10 a. Must be a natural born citizen and resident of the Philippines for the last five  
11 years;
- 12 b. Must be a holder of a Bachelor of Science in Food Technology degree or an  
13 advanced degree in Food Science/Technology as conferred by a school,  
14 college, or university in the Philippines or abroad whose food technology  
15 program is recognized by CHED;
- 16 c. Must be a duly registered food technologist under this Act, with a valid  
17 certificate of registration and professional license and has been in the active  
18 practice of the profession in the Philippines for at least ten (10) years prior to  
19 his appointment;
- 20 d. Must be a member in good standing of the integrated and accredited  
21 association of food technologists;
- 22 e. Must have no any pecuniary interest, directly or indirectly, in any school,  
23 academy, college, university or institution conferring an academic degree  
24 necessary for admission to the practice of food technology or where review  
25 classes in preparation for the licensure examination are being offered or

1                   conducted, nor shall he be a member of the faculty or of the administration  
2                   thereof at the time of his appointment to the Board; and,

3           f.       Must not have been convicted by any competent court of an offense involving  
4                   moral turpitude.

5  
6           **SEC. 7. *Term of Office.*** - The Chairman and members of the Board shall hold office  
7           for a term of three (3) years or until their successors shall have been appointed and duly  
8           qualified: *Provided*, That members of the first appointed Board shall hold office for the  
9           following terms: One (1) member as chairman for three (3) years, one (1) member for two (2)  
10          years and one (1) member for one (1) year.

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

16  
17           **SEC. 8. *Compensation and Allowance of the Board.*** - The Chairman and Members  
18          of the Board shall receive compensation and allowances comparable to that being received by  
19          the Chairmen and Members of existing regulatory boards under the Commission as provided  
20          for in the General Appropriations Act.

21  
22           **SEC. 9. *Removal of Board Members.*** - Any vacancy in the Board shall be filled for  
23          the unexpired portion of the term only.

24           The Chairperson or any member of the Board may be suspended or removed by the  
25          President of the Philippines upon the recommendation of the Commission for neglect of

1 duties; incompetence; malpractice; commission or tolerance of irregularities in any  
2 examination given by the Board, manipulation or rigging of the said examination, tampering  
3 of questions prior to the conduct of the said examinations, or tampering of grades; or  
4 unprofessional or unethical conduct and acts inimical to the profession as determined by the  
5 Board, after due notice and hearing where his right to be heard, to defend himself, and to be  
6 assisted by counsel shall be respected in a proper administrative investigation, or final  
7 judgment involving criminal offense.

8

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

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

16

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

22

### ARTICLE III

23

### Examination and Registration



1           **SEC. 12. *Licensure Examination.*** - Except as otherwise provided in this Act, every  
2 applicant seeking to be a registered and licensed food technologist shall undergo an  
3 examination to be given by the Board in such places and dates as the Commission may  
4 designate.

5

6           **SEC. 13. *Qualification for Examinations.*** - An applicant for the licensure  
7 examination for food technologist shall establish to the satisfaction of the Board that:

8           a. He is a citizen of the Philippines or a foreigner whose country has a reciprocity  
9                 agreement with the Philippines;

10          b. He has not been convicted of an offense involving moral turpitude;

11          c. He must be a graduate of a Bachelor of Science in Food Technology degree from a  
12                 school, college, or university in the Philippines or abroad whose food  
13                 technology program is recognized by the Commission on Higher Education.

14

15           **SEC. 14. *Scope of Examination.*** - The licensure examination shall cover the  
16 following subjects:

17          a. Physical, Chemical, Biological, and Microbiological Principles;

18          b. Food Processing, Preservation, and Food Engineering;

19          c. Quality Evaluation of Food;

20          d. Food Laws and Regulations.

21          The Board may revise or exclude any of the above subjects and add new ones in case  
22 a need arise.

23

1           **SEC. 15. Examination Fees.** – Every applicant admitted to take the food technology  
2 examination shall pay such fees as may be prescribed by it before he or she is allowed to take  
3 the examination.

4  
5           **SEC. 16. Report of Rating and Release of the Results of Examination.** – The Board  
6 shall complete the correction of examination papers within ten (10) days from the last day of  
7 the examination. The commission shall report the rating of the examinees not more than ten  
8 (10) days after the board has completed the correction of examination papers.

9  
10           **SEC. 17. Ratings in the Examination.** - To pass the licensure examination, a  
11 candidate for food technologist must obtain a general weighted average rating of at least  
12 75%. *Provided, however,* that a candidate who obtains a rating in the other subject/s below  
13 75% but not lower than 60% shall be allowed to take one removal examination on the  
14 subject/s where he/she failed to obtain the passing rating. *Provided,* that should the examinee  
15 fail to obtain a passing rating in the removal examination, he/she shall be considered as  
16 having failed the entire licensure examination. *Provided, finally,* that any candidate who fails  
17 to pass the examination in three successive attempts shall not be admitted in the fourth  
18 examination unless he/she could present to the Board a certification that the examinee had  
19 enrolled and undergone within the year preceding, a pre-board review course from a review  
20 center duly recognized by the Commission.

21  
22           **SEC. 17. Issuance of the Certificate of Registration and Professional Identification**  
23 **Card.** – A certificate of registration shall be issued to examinees who pass the licensure  
24 examination for food technologists subject to payment of fees prescribed by the Commission.  
25 The certificate of registration shall bear the signature of the Chairman of the Commission and

1 the Members of the Board, stamped with the official seal, indicating that the person named  
2 therein is entitled to practice the profession with all the privileges appurtenant thereto. This  
3 certificate shall remain in full force and effect until revoked or suspended in accordance with  
4 this Act.

5 A professional license bearing the registration number, date of issuance, expiry date,  
6 duly signed by the Chairman of the Commission, shall likewise be issued to every registrant  
7 who has paid the required registration fees. This license will serve as evidence that the  
8 licensee can lawfully practice his profession until the expiration of its validity.

9

10 **SEC. 18. Refusal to Register.** - The Board shall not register any successful examinee  
11 who has been convicted by a court of competent jurisdiction of any criminal offense  
12 involving moral turpitude or has been found guilty of immoral or dishonorable conduct after  
13 investigation by the Board, or has been declared to be of unsound mind. The reason for the  
14 refusal shall be set forth in writing.

15 **SEC. 19. Registration Without Examination.** - The Commission shall issue a  
16 certificate of registration and professional license to the Chairman and members of the first  
17 Board of Food Technology and to those who, on the date of the effectivity of this Act, have  
18 passed the examination for food technologists given by the Civil Service Commission.

19 The Commission through the Board shall grant a certificate of registration and  
20 professional license to qualified applicants who shall apply for registration without taking the  
21 prescribed licensure examination and who are holders of a Bachelor's Degree in Food  
22 Technology or allied fields of Nutrition, Agriculture, Biochemistry or Molecular Biology,  
23 Chemistry, Fishery, Chemical Engineering, and who have been actively practicing the

1 profession of food technology for a period of at least five (5) years immediately preceding the  
2 effectivity of this Act.

3 Qualified applicants shall file their applications in the form prescribed for the purpose  
4 no later than two (2) years from the date of the effectivity of this Act.

5  
6 **SEC. 20. *Revocation or Suspension of the Certificate of Registration and***  
7 ***Cancellation of Special Permit.*** - The Board may, after giving proper notice of hearing to the  
8 party concerned, revoke the practitioner's certificate of registration, suspend him from the  
9 practice of his profession, or cancel his special permit for any unprofessional or unethical  
10 conduct, malpractice, or violation of any of the provisions of this Act, its rules and  
11 regulations, the Code of Ethics, and the Code of Technical Standards for food technologists.

12  
13 **SEC. 21. *Reinstatement, Reissuance or Replacement of Certificate of Registration***  
14 ***and Professional License.*** - Two years after the date of revocation, the Board may, upon  
15 application and for reasons deemed proper and sufficient, reinstate any revoked certificate of  
16 registration and reissue a professional license, and in so doing, may, in its discretion, exempt  
17 the applicant from taking another examination.

18 A new certificate of registration or professional license or special permit, to replace  
19 lost, destroyed or mutilated ones may be issued subject to the rules as implemented by the  
20 Board.

21 **SEC. 22. *Roster of Food Technologists.*** - The Board shall prepare, update, and  
22 maintain a roster of food technologists which shall contain the name of each registered food  
23 technologist, his residence and office addresses, the date of registration and issuance of  
24 certificates, and other data which the Board may deem pertinent. The roster shall be open to  
25 the public, copies of which shall be mailed to each person listed therein.

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**SEC. 23. Issuance of Temporary or Special Permits.** – Without prejudice to the requirements of existing laws on the practice by foreigners in the Philippines, the following foreigners may be issued temporary or special permits to practice food technology in the Philippines. *Provided, However,* That this practice of the profession shall be limited to the particular work for which they are commissioned: *Provided, Further,* That the said temporary or special permit shall be renewed every year:

- a. Food scientists or technologists called to the Philippines to provide consultancy services;
- b. Food scientists or technologists employed as exchange professors or instructors in recognized local schools, universities, colleges, or instructors to teach Food Science and Technology subjects; and
- c. Food scientists or technologists attached to international agencies or organizations assigned to perform certain work in the Philippines relative to the practice of food technology.

**ARTICLE IV**

**Practice of Food Technology**

**SEC. 24. Prohibition on the Practice of Food Technology.** - No person shall practice or offer to practice food technology in the Philippines or offer himself as food technologist, or use the title, word, letter, figure, or any sign tending to convey the impression that he is a food technologist or advertise or indicate in any manner whatsoever that he is qualified to perform the work of food technologist unless he has satisfactorily passed the licensure examination given by the Board, except as otherwise provided in this Act, and is a holder of a

1 valid certificate of registration and a valid professional license or a valid temporary/special  
2 permit duly issued to him by the Board and the Commission.

3  
4 **SEC. 25. *Prohibited Acts.*** - No person shall:

- 5 a. Engage in the practice of food technology by representing himself as a food  
6 technologist without a valid professional license or a valid certificate of  
7 registration, or a valid temporary/special permit granted by the Board pursuant  
8 to this Act;
- 9 b. Represent himself as a food technologist during the time that his professional  
10 license is not valid or that his certificate of registration has been suspended or  
11 revoked, or that his temporary/ special permit is cancelled;
- 12 c. Allow anybody to use his certificate of registration and/or professional license  
13 or temporary/special permit as a food technologist to enable such unqualified  
14 individual to engage in the practice of food technology;
- 15 d. Use as his own the certificate of registration and/or professional license or  
16 special/temporary permit of another;
- 17 e. Commit fraud or deceit in the acquisition of the certificate of registration,  
18 professional license, temporary or special permits or renewal thereof;
- 19 f. Aid or abet the illegal practice of food technology by a non-registered or  
20 unauthorized person;
- 21 g. Manufacture, export, import, distribute, sell or offer to sell counterfeit,  
22 substandard, falsified food products including raw materials;
- 23 h. Commit acts in violation of Republic Act No. 10611 or the Food Safety Act of  
24 2013; the applicable provisions of Republic Act No. 3720, as amended by  
25 Executive Order No. 175 and Republic Act No. 9711 or the Food and Drugs

1 Administration (FDA) Act of 2009; and other food laws, including their  
2 respective implementing rules and regulations;

- 3 i. Violate any provision of this act, its rules and regulations, the food  
4 technologists' code of ethics, code of technical standards for the professional  
5 practice of the food technology profession, code of good governance and all  
6 other guidelines, policies and regulatory measures of the board and/or the  
7 commission relating to the practice of the food technology profession.

8  
9 **SEC. 26. Oath.** - All successful examinees or those allowed to register without  
10 licensure examination given by the Board and the Commission shall be required to take their  
11 oath before the Board or any member thereof and/or any official of the Commission or any  
12 person authorized by law prior to the practice of food technology.

13  
14 **SEC. 27. Code of Ethics and Code of Technical Standards for Food Technologists.**

15 - The Board shall adopt and promulgate the Code of Ethics and Code of Technical Standards  
16 for food technologists prescribed and issued by the integrated and accredited national  
17 association of food technologists.

18  
19 **SEC. 28. Continuing Professional Development.** - The CPD guidelines shall be  
20 prescribed and promulgated by the Commission upon consultation with the Board, which  
21 shall consult the integrated and accredited association of food technologists, affiliated  
22 association of food technologists, and other concerned sectors. The Board shall create a CPD  
23 Council that shall be composed of a chairman coming from the Board, a member from the  
24 integrated and accredited association of food technologists and a member from the academe.

1           **SEC. 29. *Integration of Food Technologists.*** -All food technologists shall be  
2 integrated into one (1) national organization, which shall be recognized by the Board and by  
3 the Commission as the one and only integrated and accredited association of food  
4 technologists. A food technologist duly registered with the Board shall automatically become  
5 a member of the integrated and accredited association of food technologists, and shall receive  
6 the benefits and privileges thereto, upon payment of the required fees and dues. Membership  
7 in the integrated and accredited association shall not be a bar to membership in other  
8 association of food technologists.

9

10           **SEC. 30. *Foreign Reciprocity.*** - No foreign food technologist shall be admitted to the  
11 examination or be given a certificate of registration and a professional license or be entitled  
12 to any of the privileges under this Act unless the country of which he is a subject or citizen  
13 specifically permits Filipino food technologists to practice within its territorial limits on the  
14 same basis as the subjects or citizens of such foreign state or country.

15

16           **SEC. 31. *Indication of License and Privilege Tax Receipt.*** - The food technologist  
17 shall be required to indicate his registration/professional number and date of issuance, the  
18 duration of validity, including the privilege tax receipt number on the documents he signs, or  
19 issues in connection with the practice of his profession.

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**ARTICLE V**

**Final Provisions**



1           **SEC. 32. *Funding Provision.*** - Such sums as may be necessary to carry out the  
2 provisions of this Act shall be included in the General Appropriations Act of the year  
3 following its enactment into law and thereafter.

4  
5           **SEC. 33. *Penal Provisions.*** - Any person who shall violate any of the provisions of  
6 this Act or any of its implementing rules and regulations as promulgated by the Board subject  
7 to the approval of the Commission shall, upon conviction, be punished by a fine of not less  
8 than one hundred thousand pesos (P100,000.00) but not more than one million pesos  
9 (P1,000,000.00) or by imprisonment of not less than (6) months nor more than four (4) years,  
10 or both, at the discretion of the court.

11  
12           **SEC. 34. *Implementing Rules and Regulation.*** – To implement the provisions of this  
13 Act, the Board shall, subject to the approval of the Commission, promulgate the rules and  
14 regulations and the Code of Ethics for food technologists within thirty (30) days after the  
15 effectivity of this Act.

16  
17           **SEC. 35. *Separability Clause.*** - If any section or provision of this Act shall be  
18 declared invalid or unconstitutional, such shall not invalidate any other section or provision  
19 of this Act.

20  
21           **SEC. 36. *Repealing Clause.*** - All laws, decrees, orders, issuances, or parts thereof,  
22 which are inconsistent with the provisions of this Act are hereby repealed or modified  
23 accordingly.

1           **SEC. 37. Effectivity.** - This Act shall take effect fifteen (15) days after its publication  
2 in the Official Gazette or in a major daily newspaper of national circulation whichever comes  
3 earlier.

*.Approved,*