



SENATE

S. No. 1269

PREPARED JOINTLY BY THE COMMITTEES ON CIVIL SERVICE
AND GOVERNMENT REORGANIZATION AND
PROFESSIONAL REGULATION AND FINANCE WITH
SENATORS TRILLANES IV AND LEGARDA AS AUTHORS

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:*

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ARTICLE 1

2

TITLE, STATEMENT OF POLICY, AND

3

DEFINITION OF TERMS

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SECTION 1. *Title.* – This Act shall be known as the

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“Philippine Food Technology Act of 2017”.

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SEC. 2. *Statement of Policy.* – The State recognizes

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the importance of food technologists in nation building.

1 Hence, it shall develop and nurture competent, virtuous,
2 productive, and well-rounded professional food
3 technologists, whose standards of practice and service shall
4 be excellent, world-class and globally competitive through
5 inviolable, honest, effective and credible licensure
6 examinations and through regulatory measures, programs
7 and activities that foster their continuing professional
8 growth.

9 SEC. 3. *Definition of Terms.* – As used in this Act, the
10 following terms shall mean:

11 a) *Food* refers to any substance or product whether
12 processed, partially processed or unprocessed that is
13 intended for human consumption. It includes drinks,
14 chewing gum, water and other substances, which are
15 intentionally incorporated into the food during its
16 manufacture, preparation and treatment;

17 b) *Food Technology* refers to the application of science
18 and related fields of study in postharvest handling,
19 preparation, processing, packaging, storage and

1 distribution of food to ensure food security and well-being
2 of individuals, families and communities. It includes the
3 social, cultural, economic, managerial and environmental
4 aspects of the food system; and

5 c) *Food Technologist* refers to a person qualified to
6 practice food technology as provided in this Act and who is
7 a holder of a valid certificate of registration and a valid
8 professional license issued by the Professional Regulatory
9 Board of Food Technology and the Professional Regulation
10 Commission.

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

14 a) Specification of raw materials and supervision of
15 their procurement;

16 b) Supervision of food processing operation;

17 c) Evaluation of the microbiological, physical,
18 chemical, sensory and functional properties of food;

1 d) Certification of the analysis of microbiological,
2 physical, chemical, sensory and functional properties of
3 food;

4 e) Technical transactions (*e.g.* sale, trading) of food,
5 food ingredients and additives, and machineries,
6 equipment and implements used in safe and quality food
7 production and distribution;

8 f) Conduct of basic and applied research towards
9 development and/or improvement of the safety and quality
10 of food products;

11 g) Teaching, lecturing and reviewing of a professional
12 subject in the curriculum of the Bachelor of Science in Food
13 Technology degree or subject in the food technology
14 licensure examination given in any college, university, or
15 training or review center, or any other educational
16 institution or certification body;

17 h) Compliance with food laws and regulations in
18 manufacturing and distribution of foods in the local and
19 international markets;

- 1 i) Implementation of quality management systems
2 (food safety, laboratory management, quality
3 requirements, and quality audit);
- 4 j) Provision of assistance in waste management for
5 environmental safety;
- 6 k) Consultation work related to any or all of the above
7 functions; and
- 8 l) Procurement of chemicals, reagents, equipment,
9 apparatus and other materials for the conduct of food
10 analysis, research and development.

11 ARTICLE II

12 CREATION OF THE PROFESSIONAL REGULATORY

13 BOARD OF FOOD TECHNOLOGY

14 SEC. 5. *Creation and Composition of the Board.* –

15 There is hereby created a Professional Regulatory Board of
16 Food Technology, hereinafter called the Board, under the
17 administrative supervision of the Professional Regulation
18 Commission (PRC), hereinafter referred to as the

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

9 SEC. 6. *Powers and Functions of the Board.* – The
10 Board shall have the following powers and functions:

11 a) Promulgate, administer, and enforce rules and
12 regulations necessary for carrying out the provisions of this
13 Act;

14 b) Supervise and regulate the registration, licensure,
15 and practice of food technology in the Philippines;

16 c) Administer oaths in connection with the
17 administration of this Act;

18 d) Adopt an official seal of the Board;

1 e) Maintain a roster of food technologists indicating
2 therein the basic information about the registered
3 professionals;

4 f) Issue, reinstate, suspend or revoke the certificate of
5 registration and/or professional license or cancel special
6 permits for the practice of food technology;

7 g) Monitor the conditions affecting the practice of food
8 technology and adopt such measures as may be deemed
9 proper for the enhancement of the profession and/or the
10 maintenance of high professional, ethical and technical
11 standards;

12 h) Ensure, in coordination with the Commission on
13 Higher Education (CHED), that all educational
14 institutions offering food technology education comply with
15 the policies, standards, and requirements of the course
16 prescribed by the CHED in the areas of curriculum,
17 faculty, library and facilities;

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

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

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

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

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

1 n) Grant registration without examination subject to
2 approval by the Commission;

3 o) Issue special permits to persons admitted to the
4 practice of food technology for a specific duration of time,
5 and certificates of recognition for advanced studies,
6 researches and accomplishments that contribute to the
7 enrichment of the profession; and

8 p) Discharge such other powers and functions as the
9 Board may deem necessary for the practice of the
10 profession and the upgrading, enhancement, development,
11 and growth of food technology in the Philippines.

12 The policies, resolutions, rules and regulations,
13 orders or decisions issued or promulgated by the Board
14 shall be subject to the review and approval of the
15 Commission.

16 SEC. 7. *Qualifications of the Chairperson and*
17 *Members of the Board.* – The chairperson and members of
18 the Board shall, at the time of their appointment, possess
19 the following qualifications:

1 a) Must be a natural born citizen and resident of the
2 Philippines for the last five (5) years;

3 b) Must be a holder of a Bachelor of Science in Food
4 Technology degree or an advanced degree in Food
5 Science/Technology as conferred by a school, college, or
6 university in the Philippines or abroad whose food
7 technology program is recognized by the CHED;

8 c) Must be a duly registered food technologist under
9 this Act, with a valid certificate of registration and
10 professional license and has been in the active practice of
11 the profession in the Philippines for at least ten (10) years
12 prior to his or her appointment;

13 d) Must be a member in good standing of the
14 integrated and accredited association of food technologists;

15 e) Must have no any pecuniary interest, directly or
16 indirectly, in any school, academy, college, university or
17 institution conferring an academic degree necessary for
18 admission to the practice of food technology or where
19 review classes in preparation for the licensure examination

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

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

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

14 The chairperson or member of the Board may be
15 reappointed for another term but in no case shall he or she
16 serve continuously for more than six (6) years. Any
17 vacancy in the Board shall be filled for the unexpired
18 portion of the term only. Each member of the Board shall
19 automatically be registered as food technologist and issued

1 certificate of registration and professional license and shall
2 take the proper oath of office prior to assumption of duty.

3 SEC. 9. *Compensation and Allowance of the Board.* –

4 The chairperson and members of the Board shall receive
5 compensation and allowances comparable to that being
6 received by the chairperson and members of existing
7 regulatory boards under the Commission as provided for in
8 the General Appropriations Act.

9 SEC. 10. *Removal of Board Members.* – Any vacancy
10 in the Board shall be filled for the unexpired portion of the
11 term only.

12 The chairperson or any member of the Board may be
13 suspended or removed by the President of the Philippines
14 upon the recommendation of the Commission for neglect of
15 duties, incompetence, malpractice, commission or tolerance
16 of irregularities in any examination given by the Board,
17 manipulation or rigging of the said examination,
18 tampering of questions prior to the conduct of the said
19 examinations, or tampering of grades; or unprofessional or

1 unethical conduct and acts inimical to the profession as
2 determined by the Board, after due notice and hearing
3 where his or her right to be heard, to defend himself or
4 herself, and to be assisted by counsel shall be respected in
5 a proper administrative investigation, or final judgment
6 involving criminal offense.

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

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

18 SEC. 12. *Annual Report.* – The Board shall, at the
19 close of each calendar year, submit an annual report to the

1 Commission, giving detailed account of its proceedings,
2 accomplishments during the year, and recommending
3 measures to be adopted, with the end in view of upgrading
4 and improving the conditions affecting the practice of food
5 technology in the Philippines.

6 ARTICLE III

7 EXAMINATION AND REGISTRATION

8 SEC. 13. *Licensure Examination.* – Except as
9 otherwise provided in this Act, every applicant seeking to
10 be a registered and licensed food technologist shall undergo
11 an examination to be given by the Board in such places and
12 dates as the Commission may designate.

13 SEC. 14. *Qualification for Examinations.* – An
14 applicant for the licensure examination for food
15 technologist shall establish to the satisfaction of the Board
16 that:

17 a) He or she is a citizen of the Philippines or a
18 foreigner whose country has a reciprocity agreement with
19 the Philippines;

1 b) He or she has not been convicted of an offense
2 involving moral turpitude; and

3 c) He or she is a graduate of Bachelor of Science in
4 Food Technology from a school, college, or university in the
5 Philippines or abroad whose food technology program is
6 recognized by the CHED.

7 SEC. 15. *Scope of Examination.* – The licensure
8 examination shall cover the following subjects:

9 a) Physical, Chemical, Biological, and Microbiological
10 Principles;

11 b) Food Processing, Preservation, and Food
12 Engineering;

13 c) Quality Evaluation of Food; and

14 d) Food Laws and Regulations.

15 The Board may revise or exclude any of the above
16 subjects and add new ones in case a need arises.

17 SEC. 16. *Examination Fees.* – Every applicant
18 admitted to take the food technology examination shall pay

1 such fees as may be prescribed by the Board before he or
2 she is allowed to take the examination.

3 SEC. 17. *Report of Rating and Release of the Results*
4 *of Examination.* – The Board shall complete the correction
5 of examination papers within ten (10) days from the last
6 day of the examination. The Commission shall report the
7 rating of the examinees not more than ten (10) days after
8 the Board has completed the correction of examination
9 papers.

10 SEC. 18. *Ratings in the Examination.* – To pass the
11 licensure examination, a candidate for food technologist
12 must obtain a general weighted average rating of at least
13 seventy five percent (75%): *Provided, however,* That a
14 candidate who obtains a rating in the other subject/s below
15 seventy five percent (75%) but not lower than sixty
16 percent (60%) shall be allowed to take one (1) removal
17 examination on the subject/s where he or she failed to
18 obtain the passing rating: *Provided,* That should the
19 examinee fail to obtain a passing rating in the removal

1 examination, he or she shall be considered as having failed
2 the entire licensure examination: *Provided, finally,* That
3 any candidate who fails to pass the examination in three
4 (3) successive attempts shall not be admitted in the fourth
5 examination unless he or she could present to the Board a
6 certification that the examinee had enrolled and undergone
7 within the year preceding, a pre-board review course from
8 a review center duly recognized by the Commission.

9 SEC. 19. *Issuance of the Certificate of Registration*
10 *and Professional Identification Card.* – A certificate of
11 registration shall be issued to examinees who pass the
12 licensure examination for food technologists subject to
13 payment of fees prescribed by the Commission. The
14 certificate of registration shall bear the signature of the
15 chairperson of the Commission and the members of the
16 Board, stamped with the official seal, indicating that the
17 person named therein is entitled to practice the profession
18 with all the privileges appurtenant thereto. This certificate

1 shall remain in full force and effect until revoked or
2 suspended in accordance with this Act.

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

10 SEC. 20. *Refusal to Register.* – The Board shall not
11 register any successful examinee who has been convicted
12 by a court of competent jurisdiction of any criminal offense
13 involving moral turpitude or has been found guilty of
14 immoral or dishonorable conduct after investigation by the
15 Board, or has been declared to be of unsound mind. The
16 reason for the refusal shall be set forth in writing.

17 SEC. 21. *Registration Without Examination.* – The
18 Commission shall issue a certificate of registration and
19 professional license to the chairperson and members of the

1 first Board of Food Technology and to those who, on the
2 date of the effectivity of this Act, have passed the
3 examination for food technologists given by the
4 Commission.

5 The Commission, through the Board, shall grant a
6 certificate of registration and professional license to
7 qualified applicants who shall apply for registration
8 without taking the prescribed licensure examination and
9 who are holders of a Bachelor's Degree in Food Technology
10 or allied fields of Nutrition, Agriculture, Biochemistry or
11 Molecular Biology, Chemistry, Fishery, Chemical
12 Engineering, and who have been actively practicing the
13 profession of food technology for a period of at least five (5)
14 years immediately preceding the effectivity of this Act.

15 Qualified applicants shall file their applications in
16 the form prescribed for the purpose not later than two (2)
17 years from the date of the effectivity of this Act.

18 *SEC. 22. Revocation or Suspension of the Certificate of*
19 *Registration and Cancellation of Special Permit. – The*

1 Board may, after giving proper notice of hearing to the
2 party concerned, revoke the practitioner's certificate of
3 registration, suspend him or her from the practice of his or
4 her profession, or cancel his or her special permit for any
5 unprofessional or unethical conduct, malpractice, or
6 violation of any of the provisions of this Act, its rules and
7 regulations, the Code of Ethics, and the Code of Technical
8 Standards for food technologists.

9 SEC. 23. *Reinstatement, Reissuance or Replacement of*
10 *Certificate of Registration and Professional License.* – Two
11 (2) years after the date of revocation, the Board may, upon
12 application and for reasons deemed proper and sufficient,
13 reinstate any revoked certificate of registration and reissue
14 a professional license, and in so doing, may, in its
15 discretion, exempt the applicant from taking another
16 examination.

17 A new certificate of registration or professional
18 license or special permit, to replace lost, destroyed or

1 mutilated ones may be issued subject to the rules as
2 implemented by the Board.

3 SEC. 24. *Roster of Food Technologists.* – The Board
4 shall prepare, update, and maintain a roster of food
5 technologists which shall contain the name of each
6 registered food technologist, his or her residence and office
7 addresses, the date of registration and issuance of
8 certificates, and other data which the Board may deem
9 pertinent. The roster shall be open to the public, copies of
10 which shall be mailed to each person listed therein.

11 SEC. 25. *Issuance of Temporary or Special Permits.* –
12 Without prejudice to the requirements of existing laws on
13 the practice by foreigners in the Philippines, the following
14 foreigners may be issued temporary or special permits to
15 practice food technology in the Philippines: *Provided,*
16 *however,* That this practice of the profession shall be
17 limited to the particular work for which they are
18 commissioned: *Provided, further,* That the said temporary
19 or special permit shall be renewed every year:

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

11 ARTICLE IV

12 PRACTICE OF FOOD TECHNOLOGY

13 SEC. 26. *Prohibition on the Practice of Food*
14 *Technology.* – No person shall practice or offer to practice
15 food technology in the Philippines or offer himself or
16 herself as food technologist, or use the title, word, letter,
17 figure, or any sign tending to convey the impression that
18 he or she is a food technologist or advertise or indicate in
19 any manner whatsoever that he or she is qualified to

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

8 SEC. 27. *Prohibited Acts.* – No person shall:

9 a) Engage in the practice of food technology by
10 representing himself or herself as a food technologist
11 without a valid professional license or a valid certificate of
12 registration, or a valid temporary/special permit granted
13 by the Board pursuant to this Act;

14 b) Represent himself or herself as a food technologist
15 during the time that his or her professional license is not
16 valid or that his or her certificate of registration has been
17 suspended or revoked, or that his or her temporary/special
18 permit is cancelled;

1 c) Allow anybody to use his or her certificate of
2 registration and/or professional license or
3 temporary/special permit as a food technologist to enable
4 such unqualified individual to engage in the practice of
5 food technology;

6 d) Use as his or her own the certificate of registration
7 and/or professional license or temporary/special permit of
8 another;

9 e) Commit fraud or deceit in the acquisition of the
10 certificate of registration, professional license, temporary
11 or special permits or renewal thereof;

12 f) Aid or abet the illegal practice of food technology by
13 a non-registered or unauthorized person;

14 g) Manufacture, export, import, distribute, sell or
15 offer to sell counterfeit, substandard, falsified food
16 products including raw materials;

17 h) Commit acts in violation of Republic Act No. 10611
18 or the "Food Safety Act of 2013"; the applicable provisions
19 of Republic Act No. 3720, as amended by Executive Order

1 No. 175 and Republic Act No. 9711 or the “Food and Drugs
2 Administration (FDA) Act of 2009”; and other food laws,
3 including their respective implementing rules and
4 regulations;

5 i) Violate any provision of this Act, its rules and
6 regulations, the Food Technologists’ Code of Ethics, Code of
7 Technical Standards for the professional practice of the
8 food technology profession, Code of Good Governance and
9 all other guidelines, policies and regulatory measures of
10 the Board and/or the Commission relating to the practice of
11 the food technology profession.

12 SEC. 28. *Oath.* – All successful examinees or those
13 allowed to register without licensure examination given by
14 the Board and the Commission shall be required to take
15 their oath before the Board or any member thereof and/or
16 any official of the Commission or any person authorized by
17 law prior to the practice of food technology.

18 SEC. 29. *Code of Ethics and Code of Technical*
19 *Standards for Food Technologists.* – The Board shall adopt

1 and promulgate the Code of Ethics and Code of Technical
2 Standards for food technologists prescribed and issued by
3 the integrated and accredited national association of food
4 technologists.

5 SEC. 30. *Continuing Professional Development.* – The
6 CPD guidelines shall be prescribed and promulgated by the
7 Commission upon consultation with the Board, which shall
8 consult the integrated and accredited association of food
9 technologists, affiliated association of food technologists,
10 and other concerned sectors. The Board shall create a CPD
11 Council that shall be composed of a chairperson coming
12 from the Board, a member from the integrated and
13 accredited association of food technologists and a member
14 from the academe.

15 SEC. 31. *Integration of Food Technologists.* – All food
16 technologists shall be integrated into one (1) national
17 organization, which shall be recognized by the Board and
18 by the Commission as the one and only integrated and
19 accredited association of food technologists. A food

1 technologist duly registered with the Board shall
2 automatically become a member of the integrated and
3 accredited association of food technologists, and shall
4 receive the benefits and privileges thereto, upon payment
5 of the required fees and dues. Membership in the
6 integrated and accredited association shall not be a bar to
7 membership in other association of food technologists.

8 SEC. 32. *Foreign Reciprocity.* – No foreign food
9 technologist shall be admitted to the examination or be
10 given a certificate of registration and a professional license
11 or be entitled to any of the privileges under this Act unless
12 the country of which he or she is a subject or citizen
13 specifically permits Filipino food technologists to practice
14 within its territorial limits on the same basis as the
15 subjects or citizens of such foreign state or country.

16 SEC. 33. *Indication of License and Privilege Tax*
17 *Receipt Details.* – The food technologist shall be required to
18 indicate his or her registration/professional number and
19 date of issuance, the duration of validity, including the

1 privilege tax receipt number on the documents he or she
2 signs, or issues in connection with the practice of his or her
3 profession.

4 ARTICLE V

5 FINAL PROVISIONS

6 SEC. 34. *Funding Provision.* – Such sums as may be
7 necessary to carry out the provisions of this Act shall be
8 included in the General Appropriations Act of the year
9 following its enactment into law and thereafter.

10 SEC. 35. *Penal Provisions.* – Any person who shall
11 violate any of the provisions of this Act or any of its
12 implementing rules and regulations as promulgated by the
13 Board subject to the approval of the Commission shall,
14 upon conviction, be punished by a fine of not less than one
15 hundred thousand pesos (P100,000.00) but not more than
16 one million pesos (P1,000,000.00) or by imprisonment of
17 not less than (6) months nor more than four (4) years, or
18 both, at the discretion of the court.

1 SEC. 36. *Implementing Rules and Regulation.* – To
2 implement the provisions of this Act, the Board shall,
3 subject to the approval of the Commission, promulgate the
4 rules and regulations and the Code of Ethics for food
5 technologists within thirty (30) days after the effectivity of
6 this Act.

7 SEC. 37. *Separability Clause.* – If any section or
8 provision of this Act shall be declared invalid or
9 unconstitutional, such shall not invalidate any other
10 section or provision of this Act.

11 SEC. 38. *Repealing Clause.* – All laws, decrees,
12 orders, issuances, or parts thereof, which are inconsistent
13 with the provisions of this Act are hereby repealed or
14 modified accordingly.

15 SEC. 39. *Effectivity.* – This Act shall take effect
16 fifteen (15) days after its publication in the *Official Gazette*
17 or in a major daily newspaper of national circulation,
18 whichever comes earlier.

Approved,