

THIRTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )

6 FEB 27 P4:33

SENATE  
S. B. No. 2215

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Introduced by Senator Miriam Defensor Santiago

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#### EXPLANATORY NOTE

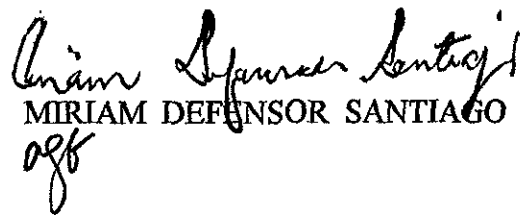
Pets are often considered special members of a household, providing years of companionship, security and psychological therapy to their owners. In return, these domesticated animals rely on their owners to provide care and sustenance. Undoubtedly, food plays a crucial role in an animal's health. To address 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, it 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 than 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. In addition to that, consumers must be provided with the 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 also for any manufacturer, producer, and any importer to be liable for redress, independently of fault, for damages caused to consumers by product defects.

  
MIRIAM DEFENSOR SANTIAGO  
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AN ACT  
TO PROPERLY LABEL PET FOOD

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

SECTION 1. *Short Title.* – This Act shall be known as the “Pet Food Act of 2006.”

SECTION 2. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

(1) “*All Life Stages*” means gestation/lactation, growth, and adult maintenance life stages.

(2) “*Immediate Container*” means the unit, can, box, tin, bag, or other receptacle or covering in which a pet food or specialty pet food is displayed for sale to retail purchasers, but does not include containers used as shipping containers.

(3) “*Ingredient Statement*” means a collective and contiguous listing on the label of the ingredients of which the pet food or specialty pet food is composed.

(4) “*Pet*” means any domesticated animal normally maintained in or near the household(s) of the owner(s) thereof.

(5) “*Pet food*” means any commercial feed prepared and distributed for consumption by pets.

(7) “Specialty Pet” means any domesticated pet animal normally maintained in a cage or tank, such as, but not limited to, gerbils, hamsters, canaries, finches, parrots, other cage birds, tropical fish, goldfish, snakes, turtles, and iguanas.

(8) “Specialty Pet Food” means any commercial feed prepared and distributed for consumption by specialty pets.

SECTION 3. *Implementing Agency.* – The Department of Trade and Industry shall be the implementing agency of this Act.

SECTION 4. *Label Format and Labeling.*

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

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

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

(C) Quantity; on the principal display panel;

(D) Ingredient statement as stipulated in section 5(1);

(F) Feeding directions if required under section 6; and

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

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

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

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

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

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

(7) A statement on a pet food or specialty pet food label stating "Improved", "New", or similar designation shall be substantiated and limited to six- (6) months production.

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

#### SECTION 5. *Ingredients.* -

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

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

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

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

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

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

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

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

- (A) The designation is not false or misleading;
- (B) The ingredient imparts a distinctive characteristic to the pet food or specialty pet food because it possesses that attribute; and
- (C) A reference to quality or grade of the ingredient does not appear in the ingredient statement.

**SECTION 6. *Feeding Directions* –**

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

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

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

**SECTION 7. *Manufacturer or Distributor; Name and Address* -**

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

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

SECTION 8. *Liability of the Manufacturer, Producer, Importer, Tradesman and Retailer.* - Any Filipino or foreign manufacturer, producer, and any importer, shall be liable for redress, independently of fault, for damages caused to consumers by defects resulting from design, manufacture, construction, assembly and erection, formulas and handling and making up, presentation or packing of their products, as well as for the insufficient or inadequate information on the use and hazards thereof. All other provisions of Republic Act No. 7394 otherwise known as "The Consumer Act of the Philippines" under the chapter on liability of the manufacturer, producer, importer, tradesman and seller for defective product or service, shall be applicable to violations of this Act.

SECTION 9. *Separability Clause.* — If any provision, or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 10. *Repealing Clause.* — Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SECTION 11. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,

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