

'16 JUL 19 P4:49

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

RECEIVED BY: 

SENATE

S. No. 565

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROVIDING FOR THE REGISTRATION, LICENSURE AND PRACTICE OF FOOD
TECHNOLOGY IN THE PHILIPPINES, PROVIDING FUNDS THEREFOR, AND
FOR OTHER PURPOSES

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

"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.

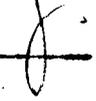
Salient provisions of this measure include the provision for foreign reciprocity which allows food technologists from the Philippines to practice their profession overseas on the condition that we shall accord the same privilege to foreign nationals. This bill, in general, aims to adapt the food technologists 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

16 JUL 19 P4:49

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

RECEIVED BY: 

SENATE

S. No. 565

Introduced by Senator Antonio "Sonny" F. Trillanes IV

**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:*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

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 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.

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 food technology as
4 provided in this Act and who is a holder of a valid certificate of registration
5 and a valid professional license issued by the Professional Regulatory Board
6 of Food Technology and the Professional Regulation Commission;

7
8 **SEC. 4. *Scope of Practice of Food Technology.*** – The following, and similar
9 activities, shall be the functions of the registered food technologist:

10 A. Specification of raw materials and supervision of their procurement;

11 B. Supervision of food processing operation;

12 C. Evaluation of the microbiological, physical, chemical, sensory and functional
13 properties of food;

14 D. Certification of the microbiological, physical, chemical, sensory and functional
15 properties of food;

16 E. Sale of food, food ingredients and additives, and machineries and equipment used
17 in food production and quality control;

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

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

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

- 1 I. Implementation of quality management systems (food safety, laboratory
2 management, quality requirements, ad quality audit);
3 J. Provision of assistance in waste management for environmental safety; and
4 K. Consultation work related to any or all of the above functions.
5

6 ARTICLE II

7 Creation Of The

8 Professional Regulatory Board of Food Technology

9 **SEC. 5 *Creation and Composition of the Board.*** - There is hereby created a
10 Professional Regulatory Board of Food Technology, hereinafter called the Board, under the
11 administrative supervision of the Professional Regulation Commission (PRC), hereinafter
12 referred to as the Commission, to be composed of a Chairperson and two (2) members who
13 shall be appointed by the President of the Philippines from a list of three (3) recommendees
14 for each position recommended by the Commission, from a list of five (5) nominees for each
15 position chosen and ranked by the integrated and accredited association of food technologists.
16 The Board shall be organized not later than six (6) months after the effectivity of this Act.
17

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

- 20 a) Promulgate, administer, and enforce rules and regulations necessary for
21 carrying out the provisions of this Act;
22 b) Supervise and regulate the registration, licensure, and practice of food
23 technology in the Philippines;
24 c) Administer oaths in connection with the administration of this Act;
25 d) Adopt an official seal of the Board;

- 1 e) Maintain a roster of food technologists indicating therein the basic information
2 about the registered professionals;
- 3 f) Issue, reinstate, suspend or revoke the certificate of registration and/or
4 professional license or cancel special permits for the practice of food
5 technology;
- 6 g) Monitor the conditions affecting the practice of food technology and adopt
7 such measures as may be deemed proper for the enhancement of the
8 profession and/or the maintenance of high professional, ethical and technical
9 standards;
- 10 h) Ensure, in coordination with the Commission on Higher Education (CHED),
11 that all educational institutions offering food technology education comply
12 with the policies, standards, and requirements of the course prescribed by
13 CHED in the areas of curriculum, faculty, library and facilities;
- 14 i) Prescribe and/or adopt a Code of Ethics and a Code of Technical Standards for
15 the practice of food technology;
- 16 j) Hear or investigate any violation of this Act, its implementing rules and
17 regulations and the Code of Ethics for food technologists as shall come to the
18 knowledge of the Board, and for this purpose, to issue *subpoena duces tecum*
19 to secure the appearance of witnesses and the production of documents in
20 connection therewith: *Provided*, That the decision of the Board shall, unless
21 appealed to the Commission, become final and executory after fifteen (15)
22 days from receipt of judgment or decision;
- 23 k) Prescribe guidelines and criteria in the Continuing Professional Development
24 (CPD) program for food technologists;
- 25 l) Adopt a program for the full computerization of the licensure examination;

- 1 m) Prepare, adopt, and issue the syllabi of the subjects for examinations by
2 determining and preparing the questions which shall strictly be within the
3 scope of the syllabus of the subject for examination;
- 4 n) Grant registration without examination subject to approval by the
5 Commission;
- 6 o) Issue special permits to persons admitted to the practice of food technology for
7 a specific duration of time, and certificates of recognition for advanced studies
8 researches and accomplishments that contribute to the enrichment of the
9 profession; and,
- 10 p) Discharge such other powers and functions as the Board may deem necessary
11 for the practice of the profession and the upgrading, enhancement,
12 development, and growth of food technology in the Philippines.

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

15

16 **SEC. 6. *Qualifications of the Chairman and Members of the Board.*** - The Chairman
17 and Members of the Board shall, at the time of their appointment, possess the following
18 qualifications:

- 19 a. Must be a natural born citizen and resident of the Philippines for the last five
20 years;
- 21 b. Must be a holder of a Bachelor of Science in Food Technology degree as
22 conferred by a school, college or university in the Philippines or abroad whose
23 food technology program is recognized by CHED;
- 24 c. Must be a duly registered food technologist under this Act, with a valid
25 certificate of registration and professional license and has been in the active

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

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

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

24

1 **SEC. 8. Compensation and Allowance of the Board.** – The Chairman and Members
2 of the Board shall receive compensation and allowances comparable to that being received by
3 the Chairmen and Members of existing regulatory boards under the Commission as provided
4 for in the General Appropriations Act.

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

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

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

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

24

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

2 c. Quality Evaluation of Food;

3 d. Food Laws and Regulations.

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

6
7 **SEC. 15. Examination Fees.** – Every applicant admitted to take the food technology
8 examination shall pay such fees as may be prescribed by it before he or she is allowed to take
9 the examination.

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

15
16 **SEC. 17. Ratings in the Examination.** - To pass the licensure examination, a
17 candidate for food technologist must obtain a passing rating of seventy five percent (75%) in
18 each subject given during the examination: *Provided, however,* That, a candidate who obtains
19 a passing rating in the majority of the subjects but obtains a rating in the other subject/s
20 below seventy five percent (75%) but not lower than sixty percent (60%), shall be allowed to
21 take one removal examination on the subject/s where he failed to obtain the passing rating.
22 *Provided, finally,* That should the examinee fail to obtain a passing rating in the removal
23 examination, he shall be considered as having failed the entire licensure examination.

24

1 **SEC. 17. Issuance of the Certificate of Registration and Professional Identification**

2 **Card.** – A certificate of registration shall be issued to examinees who pass the licensure
3 examination for food technologists subject to payment of fees prescribed by the Commission.
4 The certificate of registration shall bear the signature of the Chairman of the Commission and
5 the Members of the Board, stamped with the official seal, indicating that the person named
6 therein is entitled to practice the profession with all the privileges appurtenant thereto. This
7 certificate shall remain in full force and effect until revoked or suspended in accordance with
8 this Act.

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

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

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

23 The same privilege shall be granted to qualified applicants who shall apply for
24 registration without taking the prescribed licensure examination and who are holders of a

1 Bachelor's Degree in Food Technology or allied fields of Nutrition, Agriculture,
2 Biochemistry or Molecular Biology, Chemistry, Fishery, Chemical Engineering, and who
3 have been actively practicing the profession of food technology for a period of at least five
4 (5) years immediately preceding the effectivity of this Act.

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

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

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

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

23 **SEC. 22. *Roster of Food Technologists.*** - The Board shall prepare, update, and
24 maintain a roster of food technologists which shall contain the name of each registered food
25 technologist, his residence and office addresses, the date of registration and issuance of

1 certificates, and other data which the Board may deem pertinent. The roster shall be open to
2 the public, copies of which shall be mailed to each person listed therein.

3

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

10 a. Food scientists or technologists called to the Philippines to provide consultancy
11 services;

12 b. Food scientists or technologists employed as exchange professors or instructors in
13 recognized local schools, universities, colleges, or instructors to teach Food
14 Science and Technology subjects; and

15 c. Food scientists or technologists attached to international agencies or organizations
16 assigned to perform certain work in the Philippines relative to the practice of
17 food technology.

18

19 **ARTICLE IV**

20 **Practice of Food Technology**

21 **SEC. 24. Prohibition on the Practice of Food Technology.** - No person shall practice
22 or offer to practice food technology in the Philippines or offer himself as food technologist,
23 or use the title, word, letter, figure, or any sign tending to convey the impression that he is a
24 food technologist or advertise or indicate in any manner whatsoever that he is qualified to
25 perform the work of food technologist unless he has satisfactorily passed the licensure

1 examination given by the Board, except as otherwise provided in this Act, and is a holder of a
2 valid certificate of registration and a valid professional license or a valid temporary/special
3 permit duly issued to him by the Board and the Commission.

4

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

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

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

4 i. Conduct unauthorized distribution, sale, or offer for sale of food products
5 including raw materials through unregistered online services; and

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

11

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

16

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

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

21

22 **SEC. 28. Continuing Professional Development.** - The CPD guidelines shall be
23 prescribed and promulgated by the Commission upon consultation with the Board, which
24 shall consult the integrated and accredited association of food technologists, affiliated
25 association of food technologists, and other concerned sectors. The Board shall create a CPD

1 Council that shall be composed of a chairman coming from the Board, a member from the
2 integrated and accredited association of food technologists and a member from the academe.

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

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

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

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ARTICLE V

Final Provisions

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

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

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

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

SEC. 36. *Repealing Clause.* - All laws, decrees, orders, issuances, or parts thereof, which 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
2 in the Official Gazette or in a major daily newspaper of national circulation whichever comes
3 earlier.

Approved,