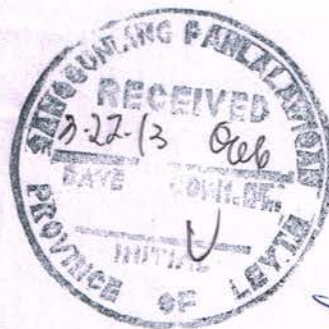




Republic of the Philippines
PROVINCE OF LEYTE
City of Baybay
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Office of the Sangguniang Panlungsod

Excerpt from the

MINUTES OF THE 7TH REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF BAYBAY CITY, LEYTE HELD IN THE SESSION HALL ON FEBRUARY 18, 2013.

PRESENT:

HON. CRISTELO S. LORETO	SP Member & Acting Presiding Officer
HON. ERNESTO M. BUTAWAN	Sangguniang Panlungsod Member
HON. LEONCIO P. ASILOM, JR.	-do-
HON. ALAN D. FERNANDEZ	-do-
HON. REX A. RETANA	-do-
HON. LOLITO C. MUNEZ	-do-
HON. TERESITA J. VELOSO	-do-
HON. KRIZZELLE ANN A. DACERA	-do-

ABSENT:

HON. MICHAEL L. CARI	City Vice Mayor, OB Davao
HON. MARGARITA C. CARI	SP Member, OB Tacloban
HON. AGUSTIN B. ALO	SP Member

CITY ORDINANCE NO. 003 s. 2013

ORDINANCE ON POST-MEAT ESTABLISHMENT CONTROL AND CREATING OF TASK FORCE BANTAY KARNE, AND FOR OTHER PURPOSES.

SPONSORED & INTRO. BY: SPM ALAN D. FERNANDEZ, SPM & REX A. RETANA.

WHEREAS, pursuant to Republic Act 9296, otherwise known as the Meat Inspection Code of the Philippines, it is the policy of the State to prescribe specific guidelines governing the flow of food animals and its meat and meat products through the various stages of marketing, preservation, and inspection, to ensure food security and provide safety and quality standards for meat and meat products to assure the protection of the public against unreasonable risks of injury and hazards to health, and to support local government units in their endeavor to be self-reliant and continue exercising the powers in discharging the duties and functions currently vested upon them;

WHEREAS, the Act also provides that, the product of post-meat establishment control shall be vested in the NMIS and LGU to regulate the flow, preparation, and sale of meat and meat products for human consumption in accordance with national policies, procedures, guidelines, and rules and regulations to ensure that meat and meat products have undergone meat inspection;

WHEREAS, pursuant to Republic Act 7394, otherwise known as The Consumer Act of the Philippines, the state shall implement measures to achieve the objectives of protecting the consumer against hazards to health and safety, deceptive, unfair and unconscionable safe, acts, and practices;

WHEREAS, there had been rampant selling of hot meat, meat, and meat products, sourced from neither accredited nor locally registered meat establishments and unaccredited or banned countries, in various meat markets and other meat channels;

WHEREAS, there is a need to strengthen the power and functions of the national, provincial, city, and municipal meat controlling authorities to curb down these illegal practices by unscrupulous vendors, traders, importers, consolidators, indenters, and technical smugglers;

WHEREAS, there is a need to apprehend individuals of slaughtering meat animals outside the City Slaughterhouse for public consumption.

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SP Member

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SP Member

(Minutes of the 7th regular session held on February 18, 2013)

Section 1. Definition of Terms. – As used in these guidelines, the following terms, words, and phrases shall be construed to mean as follows:

- 1.1 Adulterated- carcasses, or any part thereof, whether meat or meat product, under one or more of the conditions stated in RA 9296.
- 1.2 Banned- refers to meat, meat products, and processed meat products that are prohibited for importation, or have come from a country, or refers to a country, prohibited to export to the Philippines.
- 1.3 Casing- means the act of observing a stationary subject, such as , premises where an alleged illegal activity is being conducted in order to obtain information and/ or validated to complaint.
- 1.4 Controlling Authority- refers to the NMIS, provincial, city, or municipal meat inspection service.
- 1.5 Core Group- the regular members of the task force currently employed as veterinary inspectors/ meat control officers and meat inspectors of the NMIS, provincial, city, and/or municipal meat inspection service.
- 1.6 Donne- refers to the person who or charitable institution which is a recipient of the donated meat/ meat products.
- 1.7 Enforcement Team/ Task Force- a group composed of veterinary inspectors/ meat control officers, meat inspectors, and representatives from concerned LGU agencies organized and designated by the head of office to conduct post- meat establishment management activities.
- 1.8 Hot Meat- refers to the carcass or parts of the carcass of food animal which was slaughtered in an unregistered meat establishment and has not undergone the required inspection.
- 1.9 Imitation- a product that is made to appear as to be mistakable for what is real or original.
- 1.10 Imported- refers to meat, meat products, or processed meat products, from an accredited foreign meat establishment or country, accompanied with corresponding importation documents and have passed through the border inspection requirements of the Philippines.
- 1.11 Inspector/ Meat Inspector- a professionally qualified and properly trained officer, duly appointed by the NMIS or the local government unit for meat inspection and control of hygiene under the supervision of a veterinary inspector.
- 1.12 Local Meat Inspection Service (NMIS)- includes Provincial, City, and Municipal Meat Inspection Services responsible for ensuring the safety and quality of meat and meat products for human food.
- 1.13 Meat- refers to the fresh, chilled of frozen, edible carcass including offal derived from food animals.

- 1.14 Meat Market/ Channel- premises where meat, meat products, and/ or processed meat products are sold, catered, or served, in public or clandestinely, for human consumption.
- 1.15 Meat Product- any product capable of use as human food which is made wholly or in part from any meat or other portion of the carcass of any food animal, excepting products which contain meat or other portions of such carcasses in a relatively small portion only or historically have not been considered by consumers as products of the meat industry, and which are exempted from definition as a meat product by the Secretary under such conditions as he may prescribe to assure that the meat or other portions of such carcasses contained in such product are not adulterated and that such products are not represented as meat products.
- 1.16 Mission Order- an authorization issued by the head of office directing the task force to conduct enforcement activities, such as, but not limited to surveillance, search, and seizure.
- 1.17 Post- Meat establishment Control- shall mean the control measures conducted on meat products during transport up to the time of retail sale for the enforcement of regulations governing meat and meat product inspection.
- 1.18 Processed- includes all methods of manufacture and preservation but does not include pre-packaged fresh, chilled or frozen meat.
- 1.19 Seizure- the act of taking possession of hot meat or spurious meat items by the task force from a person and/ or premises where the actual selling took place.
- 1.20 Strike Operation/ raid- an all- out act of confiscating hot meat/ spurious meat items and other pieces of evidence accessory to the act of illegal selling said products, such as, but not limited to, knives, cleavers, chopping boards, containers, weighing scales, makeshift stalls, vehicle/s, and the like, and apprehension of the suspected and his accomplices/ cohorts for the purpose of detention, investigation, and filing of a case/s.
- 1.21 Surveillance- the act of following a suspect or subject person or vehicle in order to obtain information related to a case or complaint being investigated or verified.
- 1.22 Veterinary Inspector or Meat Control Officer- an inspector who is professionally qualified as a veterinarian duly appointed by the NMIS or the local government unit responsible for the supervision and control of meat hygiene including meat inspection.

Section 2 : POLICIES IN THE CREATION , ADMINISTRATION, SUPERVISION, REGULATION, AND CONTROL OF THE TASK FORCE "BANTAY KARNE."

- A) The City Veterinarian shall select and recommend the Livestock inspectors, Meat Inspectors, and Citizen volunteer groups that will composed the Task Force "Bantay Karne" team. Selection will be based upon their training, experience, and background.
- B) The City Veterinarian shall act as the team leader of the task force "Bantay Karne" and submits a monthly accomplishment report to the Mayor.

- C) The task Force shall conduct surveillance and investigation on persons suspected of slaughtering and selling illegal meat or Lechon pigs as the case maybe.
- D) The Task Force shall make an evaluation and recommendation based on the surveillance and investigation conducted to the City Mayor.
- E) The task force shall file a Mission order every time, before it conducts operation and confiscation.
- F) The task force shall coordinate with the Philippine National Police when conducting operation.
- G) Only the City Mayor has the power and authority to approve the Mission order of the Task Force "Bantay Karne".
- H) The task force will have the authority to confiscate Lechon pigs that doesn't have a Meat Inspection Certificate to prove that the animal was slaughtered at the Baybay City Slaughterhouse.
- I) The Task Force will have the authority to confiscate and impound illegal meat (Hot meat) sold for public consumption, meat that doesn't have a meat inspection certificate issued by the City Veterinary Office or the National meat Inspection Services (NMIS).
- J) The task force will have the authority to conduct inspection of all Meat sold in the Public Market, Meat Shops, Talipapa, and Grocery Stores in the City of Baybay.
- K) The task force will have the authority to implement Executive Order No. 5&6 of the National Meat Inspection Services all its policies and guidelines on the proper display of meat, storage, etc.
- L) The Task Force shall conduct surveillance and investigation on individuals slaughtering meat animals in an improvised or makeshift slaughter area.

Section 3. Rules and Regulations. The following rules and regulations shall be observed by the Task Force "Bantay karne" team, to wit;

- A) Only the deputized and accredited person of the City Veterinary Office will be a member of the Task Force "Bantay Karne" team.
- B) Members of the Task Force should have an Identification Card duly signed by the City Mayor of Baybay City.
- C) Members are always on call when certain emergency operation is required.
- D) During operations, all members of the task force are required to wear their proper uniform and I.D
- E) The task force is not allowed to conduct operation without a Mission order issued by the City Mayor of Baybay City.

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- (F) Members of the task force are not allowed to carry deadly weapons or fire arms during operation. Security will be provided by the PNP escort.
- (G) Drunk or intoxicated member of the task force will not be allowed to take part in the operation.
- (H) All members of the task force are required to have an annual medical exam and drug test.
- (I) The Task force shall issue a confiscation form signed by the person accused. Signifying his/her knowledge that he is violating Republic Act 9296 and this Ordinance.

Section 4. SCOPE OF IMPLEMENTATION-

The following shall be the areas of concern of this Order:

3.1 Meat markets/ channels shall include, but not limited to the following:

- 3.1.1 wet markets
- 3.1.2 flea markets ("talipapa");
- 3.1.3 "bagsakan" centers;
- 3.1.4 rolling stores;
- 3.1.5 meat shops/ stalls;
- 3.1.6 "lechon" houses and stands;
- 3.1.7 ambulant meat stalls/ vendors/ peddlers;
- 3.1.8 supermarkets and grocery stores;
- 3.1.9 restaurants, canteens, and eateries;
- 3.1.10 catering services;
- 3.1.11 hotels and other institutional buyers;
- 3.1.12 meat chandlers;
- 3.1.13 private domicile, particularly those suspected depots of "hot meat" subject to legal requirements; and,
- 3.1.14 other channels where meat and meat products are slaughtered, prepared, handled, processed, packed, stored, and distributed.

3.2 The following items shall be the subject of regulation of this Order:

- 3.2.1 carcasses/ parts/ offal (a) found to have come from clandestine slaughter (b) adulterated as defined under RA 9296, and/ or (c) derived from non- food animals, such as, dog meat, cat meat, etc.;

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- 3.2.2 processed meat products, chilled, frozen, or canned, manufactured by (a) neither accredited nor locally registered meat establishment and/ or (b) manufactured by an accredited or locally registered meat establishment, but found to be adulterated;
- 3.2.3 Imported meat and meat products, whether chilled, frozen, or canned, but found to be adulterated;
- 3.2.4 meat and meat products (a) from an unaccredited or banned country, (b) that are imitations of registered local or imported brands, and/ or (c) without accompanying valid documents, such as, Meat and Meat Products Inspection Certificate (MMPIC) or Certificate of Meat Inspection for Imported Meat and Meat Products (COMI), whether from accredited (local or foreign) or locally registered meat establishment.

Section 5. GENERAL PROCEDURES. - The following guidelines shall serve as the basic principles and procedures in conducting post- meat establishment control;

4.1 The task force shall be equipped with the following:

4.1.1 a specific mission order issued by the City Mayor for every operation to be conducted;

4.1.2 an official uniform which shall be worn when conducting routine post- meat establishment inspections. In case of strike operation, the team may be clad in ordinary clothes;

4.1.3 an official identification card.

4.1.4 minimum serviceable communication equipment and other tools such as cellular phones, flashlights, ticklers, and ball pens;

4.1.5 camera (capable for still photo shots and video foot aging) shall be used for the documentation of all operations and disposal of seized items that may be conducted;

4.1.6 two (2) service vehicles, one for transport of tem members and the other vehicle for the transport of seized items;

4.1.7 two(2) units of chest- type freezers stationed at the Slaughterhouse Office, one(1) unit for safekeeping of the wholesome seized meat and meat products, items unfit for human consumption; and,

4.1.8 denaturants or other chemicals, such as kerosene.

4.2 The following are elements of an effective post- meat establishment control:

4.2.1 For LGU LMIS, a meat inspection ordinance;

4.2.2 an information drive for meat vendors, traders/ suppliers, importers, consolidators, indentors, and consumers through orientation, seminars, IEC materials, and other forms of communication;

4.2.3 conduct of regular post- meat establishment inspection;

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SP Member

4.2.4 prompt action on consumers complaints;

4.2.5 surveillance of suspected individuals and vehicles, or casing of any of the meat channels under

4.2.7 seizure of meat and meat products slaughtered, prepared, handled, processed, packed, stored, transported, distributed, or offered for sale as human food not in accordance with the provision or RA 9296.

4.2.8 inventory of confiscated meat and meat products shall be properly accounted and turned-over to the disposal committee;

4.2.9 proper coordination of activities between and among the concerned agencies, PNP, etc.;

4.2.10 setting- up of checkpoint/s in identified strategic area/s, as the need arises;

4.2.11 blotter the illegal activity after the conduct of operation at the nearest police station having jurisdiction over the area where the strike operation was conducted and obtain a copy of the police blotter for future reference;

4.2.12 turn-over of seized meat items to the disposal committee who shall dispose the same in accordance with existing COA rules and regulations; and,

4.2.13 filing of complaint/s against violators of the existing meat inspection laws, rules and regulations.

4.3 The team or any of its members, in the discharge of its or his/her official duties, shall be provided with legal assistance by the NMIS or LGU concerned when necessary, such as but not limited to, filing of cases against violators, when charged in court, during attendance to court hearings, etc.; and,

4.4 Corresponding logistical support shall be included in the annual budgetary appropriation of the LGU concerned to sustain the functions and activities of the task force.

Section 6. OFFICIAL FORMS- Sample templates of official documents that can be used during conduct of routine post- meat establishment control:

5.1 Post- Meat Establishment Management Receipt (Annex "A")

5.2 Summon Letter (Annex "B")

5.3 Show Cause Directive (Annex "C")

5.4 Notice of Warning (Annex "D")

5.5 Hold Order (Annex "E")

5.6 Condemnation Receipt (Annex "F")

5.7 Deed of Donation and Acknowledgement Receipt (Annex "G")

5.8 Coordination Letter to the local police (Annex "H")

Section 7. DISPOSAL OF CONFISCATED MEAT ITEMS- All seized meat items shall be under the custody of the task force until it has been properly documented and disposed of. The following shall be the minimum requirements in the disposal of meat and meat products seized during a strike operation:

- 6.1 All confiscated meat and meat products shall be examined for its wholesomeness and fitness for human consumption. It shall be disposed of within 12- 24 hours except those to be used as evidence in case of legal action. It shall be stored in freezer storage to preserve its condition until the court has rendered judgment on the case;
- 6.2 Five (5) 250- gram sample units shall be obtained randomly, except those coming from banned/prohibited countries, for organoleptic examination and other laboratory analyses. The laboratory results may be used as evidence in the on-going litigation;
- 6.3 Those found fit for human consumption shall be donated to a charitable institution duly registered by the Securities and Exchange Commission(SEC) and preferably located within the city or municipality where the meat items were confiscated products;
- 6.4 In cases where the violator was issued a notice of warning and a summon order/ show cause directive to appear and explain on the charges within 48 hours at the NMIS Office/ concerned LMIS Office, the seized items shall be donated to a charitable institution, (a) once found fit for human consumption; (b) after the said violator has executed a notarized affidavit stating his assurance to refrain from commission of the same violation; and (c) he/she waives his/her claim over the products;
- 6.5 Prior to donation to charitable institutions, confiscated meat shall be subjected to further processing such as (a) thermal treatment of not less than 70 C for 30 minutes pursuant to DA Administrative Order No. 31, series of 2002, and (b) processing into canned meat products and the like;
- 6.6 Those items determined unfit for human consumption shall be either disposed of (a) by burying six (6) feet below the ground or (b) passed for rendering in a registered rendering plant;
- 6.7 Disposal procedures shall be properly documented for future references. The condemnation certificate shall be signed by all concerned representatives, witnesses and other interested parties; and,
- 6.8 In case of donated items, the donor shall execute a deed of donation and the donee shall acknowledge receipt of the donated items on the same document.

Section 8. SANCTIONS. Any person found to have violated any of the provisions provided herein and those that may be formulated, adopted, and implemented by this Ordinance with the required approval of the City Mayor will be persecuted in the court of Law which shall impose upon the accused, in case of conviction, a penalty of imprisonment of not more than six (6) months, or fine of not less than P3,000.00 not more than P5,000.00 or both at the discretion of the court.

REX A. RETANA
SP Member

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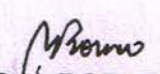
Section 9. REPEALING CLAUSE- All existing rules and regulations or parts thereof which are inconsistent with this Order are hereby repealed, or modified accordingly.

Section 10. EFFECTIVITY- This Order shall take effect fifteen (15) days after its publication in a newspaper of on Local circulation.


RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the office concerned for their information and guidance.

ENACTED, February 18, 2013.

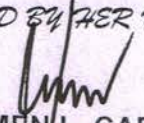
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session held on February 18, 2013.


AMELITO V. BORNEO
SP Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:


CRISTELO S. LORETO
SP Member & Acting Presiding Officer

APPROVED BY HER HONOR:



CARMEN L. CARI
City Mayor


REX A. RETANA
SP Member

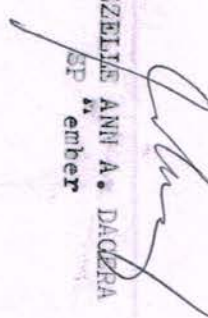

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