



HOUSE OF REPRESENTATIVES

H. No. 6714

BY REPRESENTATIVES ESCUDERO, ALEJANO, MARIÑO,
NOGRALES (K.A.), YU, BOLILIA, ZARATE, CAGAS, CASTRO (F.L.),
SUANSING (E.), RODRIGUEZ (M.), PANOTES, HERRERA-DY,
ABAYON, BORDADO, NOEL, LOBREGAT, DEL MAR, RELAMPAGOS,
ABELLANOSA, AMATONG, PADUANO, ROQUE (R.), CAMINERO,
ARAGONES, DELOSO-MONTALLA, TAN (A.), VERGARA, GO (M.),
PRIMICIAS-AGABAS, NIETO, DALIPE AND DEL ROSARIO, PER
COMMITTEE REPORT NO. 492

AN ACT REGULATING THE PRACTICE OF FOOD
TECHNOLOGY IN THE PHILIPPINES, CREATING FOR
THE PURPOSE THE BOARD OF FOOD TECHNOLOGY,
AND APPROPRIATING FUNDS THEREFOR

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

1 ARTICLE I

2 TITLE, STATEMENT OF POLICY, AND DEFINITION OF TERMS

3 SECTION 1. *Short Title.* — This Act shall be known as the
4 "Philippine Food Technology Act".

5 SEC. 2. *Statement of Policy.* — The State recognizes the
6 importance of professional food technologists in nation-building and
7 development. Hence, it shall develop and nurture competent,
8 virtuous, productive, and well-rounded professional food
9 technologists whose standards of practice and service shall be

1 excellent, world class, and globally competitive through honest,
2 effective, relevant, and credible licensure examinations and through
3 regulatory programs, measures, and activities that foster their
4 professional growth, social responsibility, and development.

5 SEC. 3. *Definition of Terms.* – As used in this Act:

6 (a) *Food* refers to any substance or product whether
7 processed, partially processed or unprocessed that is intended for
8 human consumption. It includes drinks, chewing gum, water and
9 other substances, which are intentionally incorporated into such
10 substances or products during the process of manufacturing,
11 preparation, and treatment;

12 (b) *Food technology* refers to the application of the physical,
13 biological, and behavioral sciences to the conversion of raw
14 materials into safe, stable, palatable, and nutritious foods. It
15 includes the processes of handling, storage, processing, packaging,
16 distribution, and utilization of food;

17 (c) *Food technologist* refers to a person qualified to practice
18 food technology as provided in this Act and who is a holder of a valid
19 certificate of registration and a valid professional license to practice
20 issued by the Professional Regulatory Board of Food Technology and
21 the Professional Regulation Commission (PRC); and

22 (d) *Microbiological certification* refers to a certification of the
23 microbiological, physical, chemical, sensory, and functional
24 properties of food.

25 SEC. 4. *The Scope of the Practice of Food Technology.* – The
26 practice of Food Technology shall include the following:

- 1 (a) Identification of the appropriate specifications of raw
2 materials and supervision over their procurement;
- 3 (b) Supervision of food processing operations;
- 4 (c) Evaluation of the microbiological, physical, chemical,
5 sensory, and functional properties of food;
- 6 (d) Certification of the analysis of microbiological, physical,
7 chemical, sensory, and functional properties of food;
- 8 (e) Technical transactions (e.g. sale, trading) of food, food
9 ingredients and additives, and machineries, equipment, and
10 implements used in safe and quality food production and
11 distribution;
- 12 (f) Conduct of basic and applied research towards
13 development and/or improvement of the safety and quality of food
14 products;
- 15 (g) Teaching, lecturing, and reviewing of a professional
16 subject in the curriculum of the Bachelor of Science in Food
17 Technology degree or subject in the food technology licensure
18 examination given in any college, university, or training or review
19 center, or any other educational institution or certification body;
- 20 (h) Compliance with food laws and regulations in
21 manufacturing and distribution of foods in the local and
22 international markets;
- 23 (i) Implementation of quality management systems (food
24 safety, laboratory management, quality requirements, and quality
25 audit);
- 26 (j) Provision of assistance in waste management for
27 environmental safety;

1 (k) Consultation work related to any or all of the above
2 functions; and

3 (l) Procurement of chemicals, reagents, equipment,
4 apparatus, and other materials for the conduct of food analysis,
5 research and development.

6 ARTICLE II

7 THE PROFESSIONAL REGULATORY BOARD OF FOOD TECHNOLOGY

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

19 SEC. 6. *Powers and Functions of the Board.* – The Board
20 shall exercise the following powers and functions:

21 (a) Promulgate, administer, and enforce rules and regulations
22 necessary for carrying out the provisions of this Act;

23 (b) Supervise and regulate the registration, licensure, and
24 practice of food technology in the Philippines;

25 (c) Issue special permits to persons admitted to the practice
26 of food technology for a specific duration of time, and certificates of

1 recognition for advanced studies, researches and accomplishments
2 that contribute to the enrichment of the profession;

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

6 (e) Ensure, in coordination with the Commission on Higher
7 Education (CHED), that all educational institutions offering food
8 technology education comply with the policies, standards, and
9 requirements of the course prescribed by the CHED in the areas of
10 curriculum, faculty, library and facilities;

11 (f) Prepare, adopt, and issue the syllabi of the subjects for
12 examinations by determining and preparing the questions which
13 shall strictly be within the scope of the syllabus of the subject for
14 examination;

15 (g) Adopt a program for the full computerization of the
16 licensure examination;

17 (h) Prescribe guidelines and criteria in the Continuing
18 Professional Development (CPD) program for food technologists;

19 (i) Monitor the conditions affecting the practice of food
20 technology and adopt such measures as may be deemed proper for
21 the enhancement of the profession and the maintenance of high
22 professional, ethical, and technical standards;

23 (j) Prescribe and adopt, a Code of Ethics and a Code of
24 Technical Standards for the practice of food technology;

25 (k) Hear and investigate cases on violations of this Act, its
26 implementing rules and regulations (IRR), the Code of Ethics, the
27 Code of Good Governance, the Code of Technical Standards for the

1 practice of food technology and for this purpose, to issue summons,
2 *subpoena ad testificandum*, and *subpoena duces tecum* to alleged
3 violators and witnesses to compel their attendance in hearings or
4 investigations: *Provided*, That the decision of the Board shall,
5 unless appealed to the PRC, become final and executory after fifteen
6 (15) days from receipt thereof;

7 (l) Grant registration without examination subject to
8 approval by the PRC;

9 (m) Administer oaths in connection with the administration of
10 this Act;

11 (n) Maintain a roster of food technologists indicating therein
12 the basic information about the registered professionals;

13 (o) Adopt an official seal of the Board; and

14 (p) Discharge such other powers and functions as the Board
15 may deem necessary for the practice of the profession and the
16 upgrading, enhancement, development, and growth of food
17 technology profession in the Philippines.

18 The policies, resolutions, rules and regulations, orders or
19 decisions issued or promulgated by the Board shall be subject to the
20 review and approval of the PRC.

21 *SEC. 7. Qualifications of the Members of the Board.* – At the
22 time of their respective appointments, the members of the Board,
23 including the Chairperson, must be:

24 (a) A citizen and resident of the Philippines for the last five
25 (5) years;

26 (b) A degree holder of a Bachelor of Science in Food
27 Technology as conferred by a school, college or university in the

1 Philippines or abroad where its food technology program is
2 recognized by the CHED;

3 (c) A duly registered food technologist under this Act, with a
4 valid certificate of registration and professional license and has
5 been in the active practice of the profession in the Philippines for at
6 least five (5) years prior to the appointment of the member;

7 (d) A member in good standing of the integrated and APO of
8 food technologists; and

9 (e) A person without any pecuniary interest, directly or
10 indirectly, in any school, academy, college, university or institution
11 conferring an academic degree necessary for admission to the
12 practice of food technology or where review classes in preparation
13 for the licensure examination are being offered or conducted, nor a
14 member of the faculty or of the administration thereof at the time of
15 the appointment of the member to the Board; and has not been
16 convicted by any competent court of an offense involving moral
17 turpitude.

18 SEC. 8. *Term of Office of the Members of the Board.* – The
19 Chairperson and members of the Board shall hold office for a term
20 of three (3) years from the date of appointment or until their
21 successors shall have been qualified and appointed. They may be
22 reappointed in the same office for another term of three (3) years
23 immediately after the expiry of their term: *Provided*, That no
24 member of the Board shall hold office for more than two (2) terms or
25 more than six (6) years: *Provided, further*, That the first Board
26 appointed under this Act shall hold these terms of office: the
27 Chairperson for three (3) years, the first member for two (2) years,

1 and the second member for one (1) year: *Provided, finally,* That an
2 appointee to a vacancy shall serve only the unexpired portion of the
3 term of office. The Chairperson and members shall take their oaths
4 of office before a duly authorized officer.

5 SEC. 9. *Compensation and Allowance of the Board.* – The
6 Chairperson and members of the Board shall receive compensation
7 and allowances comparable to that being received by the
8 chairpersons and members of existing regulatory boards under the
9 PRC as provided for in the General Appropriations Act.

10 SEC. 10. *Removal or Suspension of Members of the Board.* –
11 The Chairperson or any member of the Board may, upon the
12 recommendation of the PRC, be suspended or removed by the
13 President of the Philippines upon due notice and hearing, for
14 neglect of duties, incompetence, malpractice, commission or
15 tolerance of irregularities in any examination given by the Board,
16 manipulation or rigging of the said examination, tampering of
17 questions prior to the conduct of the said examinations, or
18 tampering of grades, or unprofessional or unethical conduct. The
19 rights of the accused or respondent to be heard, to defend oneself,
20 and to be assisted by the counsel shall be respected in the proper
21 administrative investigation to be conducted for the purpose.

22 Any vacancy in the Board shall be filled for the unexpired
23 portion of the term only.

24 SEC. 11. *Supervision of the Board, Custodian of its Records,*
25 *Secretariat, and Support Services.* – The Board shall be under the
26 administrative supervision of the PRC. All records of the Board,
27 including applications for examination papers and results, minutes

1 of deliberation, administrative cases, and other investigations
2 involving food technologists shall be kept by the PRC.

3 The PRC shall designate the Secretary of the Board and shall
4 provide the secretariat and other support services to implement the
5 provisions of this Act.

6 SEC. 12. *Annual Report.* – The Board shall, at the close of
7 each calendar year, submit an annual report to the PRC, giving a
8 detailed account of its proceedings, accomplishments during the
9 year, and recommending measures to be adopted, with the end in
10 view of upgrading and improving the conditions affecting the
11 practice of food technology in the Philippines.

12 ARTICLE III

13 EXAMINATION AND REGISTRATION

14 SEC. 13. *Licensure Examination Requirement.* – Except as
15 otherwise specifically allowed under this Act, applicants for
16 registration for the practice of food technology shall be required to
17 pass a licensure examination as provided for in this Act in such
18 places and dates as the PRC may designate in the Resolution
19 thereof on the Master Schedules for all licensure examinations in
20 accordance with Section 7(d) of Republic Act No. 8981, “PRC
21 Modernization Act of 2000”, as amended.

22 SEC. 14. *Qualifications of an Applicant for the Licensure*
23 *Examinations.* – An applicant for the licensure examination for
24 food technologist shall meet the following qualifications:

25 (a) Must possess Philippine citizenship or in the case of a
26 foreigner, citizenship of a country or State that has a reciprocity
27 agreement with the Philippines on the practice of food technology;

1 (b) Must be of good moral character;

2 (c) Must hold a Bachelor's Degree in Food Technology,
3 conferred by a school, college, or university recognized and duly
4 accredited by the CHED; and

5 (d) Must not have been convicted of an offense involving
6 moral turpitude by a court of competent jurisdiction.

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

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

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

12 (c) Quality Sensory Evaluation of Food; and

13 (d) Food Laws and Regulations.

14 The Board may revise or exclude any of the above subjects
15 and add new ones as may be called for by the requirements of the
16 industry and of the profession.

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

1 SEC. 17. *Report of Rating.* – The Board and the PRC shall
2 correct and rate the licensure examination papers and shall release
3 the examination results within ten (10) days from the date of the
4 examination.

5 SEC. 18. *Issuance of the Certificate of Registration and*
6 *Professional License.* – A certificate of registration shall be issued
7 to examinees who pass the licensure examination for food
8 technologists subject to payment of fees prescribed by the PRC. The
9 certificate of registration shall bear the signature of the
10 Chairperson of the PRC and the members of the Board, stamped
11 with the official seal, indicating that the person named therein is
12 entitled to practice the profession with all the privileges
13 appurtenant thereto. This certificate shall remain in full force and
14 effect until revoked or suspended in accordance with this Act.

15 A professional license bearing the registration number, date of
16 issuance, expiry date, duly signed by the Chairperson of the PRC,
17 shall likewise be issued to a registrant who has paid the required
18 registration fees. This license will serve as evidence that the
19 licensee can lawfully practice the profession until the expiration of
20 its validity.

21 SEC. 19. *Refusal to Register.* – The Board shall not register
22 any successful examinee who has been convicted by a court of
23 competent jurisdiction of any criminal offense involving moral
24 turpitude or has been found guilty of immoral or dishonorable
25 conduct after investigation by the Board, or has been declared to be
26 of unsound mind. The reason for the refusal shall be set forth in
27 writing.

1 SEC. 20. *Registration Without Examination.* – The PRC shall
2 issue a certificate of registration and professional license to the
3 Chairperson and members of the first Board of Food Technology and
4 to a person who, on the date of the effectivity of this Act, has passed
5 the examination for food technologists given by the Board. The same
6 privilege shall be granted to a qualified applicant who shall apply
7 for registration without taking the prescribed licensure examination
8 and who is a holder of a Bachelor's Degree in Food Technology or
9 allied fields in Nutrition, Agriculture, Biochemistry or Molecular
10 Biology, Chemistry, Fishery, Chemical Engineering, and who has
11 been actively practicing the profession of food technology for a
12 period of at least five (5) years immediately preceding the effectivity
13 of this Act.

14 A qualified applicant shall file the application in the form
15 prescribed for the purpose not later than two (2) years from the date
16 of the effectivity of this Act.

17 SEC. 21. *Revocation or Suspension of the Certificate of*
18 *Registration and Cancellation of Special Permit.* – The Board may,
19 after giving proper notice of hearing to the party concerned, revoke
20 the certificate of registration, cancel the special permit, or suspend
21 the practice of a food technologist for any unprofessional or
22 unethical conduct, malpractice, or violation of any of the provisions
23 of this Act, its rules and regulations, the Code of Ethics, and the
24 Code of Technical Standards for food technologists.

25 SEC. 22. *Reinstatement, Reissuance or Replacement of*
26 *Certificate of Registration and Professional License.* – Two (2) years
27 after the date of revocation, the Board may, upon application and

1 for reasons deemed proper and sufficient, reinstate any revoked
2 certificate of registration and reissue a professional license, and in
3 so doing, may, in its discretion, exempt the applicant from taking
4 another examination.

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

8 SEC. 23. *Roster of Food Technologists.* – The Board shall
9 prepare, update, and maintain a roster of food technologists which
10 shall contain the name of each registered food technologist, the
11 residence and office addresses, the date of registration and issuance
12 of certificates, and other data which the Board may deem pertinent.
13 The roster shall be open to the public, a copy of which shall be
14 furnished to each person listed therein.

15 SEC. 24. *Issuance of Temporary or Special Permits.* – Without
16 prejudice to the requirements of existing law on the practice by
17 foreigners in the Philippines, foreigners may be issued temporary or
18 special permits to practice food technology in the Philippines:
19 *Provided,* That these shall be limited to the particular work for
20 which they are commissioned: *Provided, further,* That the
21 temporary or special permits shall be renewed every year. The
22 permits may be issued to:

23 (a) Foreign food scientists or technologists hired to provide
24 consultancy services in the Philippines;

25 (b) Foreign food scientists or technologists employed as
26 exchange professors or instructors in recognized local schools,

1 universities, colleges, or instructors to teach Food Science and
2 Technology subjects; and

3 (c) Foreign food scientists or technologists attached to
4 international agencies or organizations assigned to perform certain
5 work in the Philippines relative to the practice of food technology.

6 SEC. 25. *Oath.* – All successful examinees or those allowed to
7 register without licensure examination given by the Board and the
8 PRC shall be required to take their oaths of office before the Board
9 or any member thereof and any official of the PRC or any person
10 authorized by law prior to the practice of food technology.

11 ARTICLE IV

12 PRACTICE OF FOOD TECHNOLOGY

13 SEC. 26. *Continuing Professional Development (CPD)*
14 *Program.* – The CPD guidelines shall be prescribed and
15 promulgated by the PRC upon consultation with the Board, which
16 shall consult the integrated and APO of food technologists, affiliated
17 association of food technologists, and other concerned sectors. The
18 Board shall create a CPD Council that shall be composed of a
19 Chairperson coming from the Board, a member from the APO of
20 food technologists, and a member from the academe.

21 SEC. 27. *Integration of Food Technologists.* – All food
22 technologists shall be integrated into one (1) national organization,
23 which shall be recognized by the Board and by the PRC as the one
24 and only integrated and APO of food technologists. A food
25 technologist duly registered with the Board shall automatically
26 become a member of the integrated and APO of food technologists,
27 and shall receive the benefits and privileges thereto, upon payment

1 of the required fees and dues. Membership in the integrated and
2 APO shall not be a bar to membership in other associations of food
3 technologists.

4 SEC. 28. *Foreign Reciprocity.* – No foreign food technologist
5 shall be admitted to the licensure examination, or be given a
6 certificate of registration and a professional license, or be entitled to
7 any of the privileges under this Act, unless the country of which is a
8 subject or citizen specifically permits Filipino food technologists to
9 practice within its territorial limits under the same conditions and
10 an equal basis as its own subjects or citizens.

11 SEC. 29. *Indication of License and Privilege Tax Receipt.* –
12 The date of issuance of the certificate of registration and the date of
13 expiry of the same, the privilege tax receipt number, and the
14 professional number of a food technologist shall be indicated or any
15 document the food technologist signs or issues in connection with
16 the practice of profession.

17 SEC. 30. *Prohibited Acts.* – It shall be unlawful for any
18 person to practice or offer to practice food technology in the
19 Philippines, or offer oneself as food technologist, or use the title,
20 word, letter, figure, or any sign tending to convey the impression
21 that one is a food technologist or advertise or indicate in any
22 manner whatsoever as qualified to perform the work of food
23 technologist, unless the person has satisfactorily passed the
24 licensure examination given by the Board, except as otherwise
25 provided in this Act, and is a holder of a valid certificate of
26 registration and a valid professional license or a valid temporary or
27 special permit duly issued by the Board and the PRC.

1 Likewise, the following acts shall be prohibited:

2 (a) Representing of one's self as a food technologist during the
3 time that the professional license is not valid, or that the certificate
4 of registration has been suspended or revoked, or that the
5 temporary or special permit is cancelled;

6 (b) Allowing another person to use one's certificate of
7 registration and/or professional license or temporary or special
8 permit as a food technologist to enable the other person to engage in
9 the practice of food technology; and

10 (c) Using the certificate of registration and/or professional
11 license or temporary or special permit of another food technologist.

12 ARTICLE V

13 FINAL PROVISIONS

14 SEC. 31. *Penal Provisions.* - Any person who shall violate
15 any of the provisions of this Act or any of its IRR as promulgated by
16 the Board subject to the approval of the PRC shall, upon conviction,
17 be punished by a fine of not less than forty thousand pesos
18 (P40,000.00) but not more than one hundred fifty thousand pesos
19 (P150,000.00) or by imprisonment of not less than six (6) months
20 but not more than four (4) years, or both, at the discretion of the
21 court.

22 SEC. 32. *Funding Provision.* - The Chairperson of the PRC
23 shall include in the PRC's program the implementation of this Act,
24 the funding of which shall be included in the annual General
25 Appropriations Act.

26 SEC. 33. *Implementing Rules and Regulations.* - To
27 implement the provisions of this Act, the Board shall, subject to the

1 approval of the PRC, promulgate the rules and regulations and the
2 Code of Ethics for food technologists within thirty (30) days after
3 the effectivity of this Act.

4 SEC. 34. *Separability Clause.* – If any section or provision of
5 this Act shall be declared invalid or unconstitutional, such shall not
6 invalidate any other section or provision of this Act.

7 SEC. 35. *Repealing Clause.* – All laws, decrees, orders,
8 issuances, or parts thereof, which are inconsistent with the
9 provisions of this Act are hereby repealed or modified accordingly.

10 SEC. 36. *Effectivity.* – This Act shall take effect fifteen (15)
11 days after its publication in the *Official Gazette* or in a newspaper of
12 general circulation.

Approved,

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