

Sangguniang Panglungsod

ORDINANCE NO. 05-033

AN ORDINANCE REGULATING THE SALE OF SAFE MEAT IN MUNTINLUPA CITY.

Sponsored by:

Hon. Melchor R. Teves

Hon. Engr. Mamerto T. Sevilla, Jr.

Hon. Allen F. Ampaya Hon. Allan Rey A. Camilon Hon. Elmer S. Espeleta Hon. Atty. Raul R. Corro

Hon. Ma. Luisa Babaran-Echavez, M.D.

Hon. Atty. Icasiano M. dela Rea Hon. Francis Ian T. Bagatsing Hon. Marissa Cole-Rongavilla

Hon. Mario E. Bulay, Jr. Hon. Artemio A. Simundac

Hon. Christian Glenn D. Lorica

WHEREAS, Section 15, Article II under the Declaration of Principles of the 1987 Philippine Constitution states that "The State shall protect and promote the right to health of the people instill health consciousness among them";

WHEREAS, Section 17 (a) (b) (4) (ix) of RA 7160, otherwise known as the Local Government Code of 1991 states that "(a) Local Government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities as are necessary, appropriate or incidental to efficient and effective provision of the basic services and facilities enumerated herein:

(b) such basic services and facilities include but are not limited to:

(4) For a City:

(ix) Public markets, slaughterhouses and other city enterprises;

WHEREAS, Section 489 (a) (2) (3) (i) (iii) (v) of the same Code provides that "There shall be a Local Veterinarian in every City who shall advise the Mayor on all matters pertaining to the slaughter of animals for human consumption and regulate slaughterhouses; regulate and inspect poultry; milk; dairy products for public consumptions";

WHEREAS, Section 458 (a) (3) (vii) and (5) (ii) (iv) of the Local Government Code of 1991 provides that the Sangguniang Panlungsod shall enact ordinances that shall regulate the sale of meat, fish, vegetables, fruits, fresh dairy products and other foodstuffs for human consumption, establish or regulate the construction and operation of public markets, slaughterhouses or animal corrals, or grant franchise to any person to establish and operate the same as may be allowed by existing laws; and to levy, assess, collect taxes, fees and charges as may be necessary for these purposes;

axes, ices and charges as may be

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WHEREAS, RA 7394, otherwise known as the Consumers Act of the Philippines, provides that the Department of Agriculture shall inspect and analyze consumer products related to agriculture to determine conformity to established quality and safety standards;

WHEREAS, the National Meat Inspection Commission (NMIC) of the Department of Agriculture, created under Presidential Decree No. 7 and Letter of Instruction No. 16 is responsible for promulgating specific policies and livestock products through various stages of marketing and the proper preservation and inspection of such products;

WHEREAS, there is a need to harmonize the various provisions of the Local Government Code of 1991 and the Consumers Act of the Philippines, including the role of the National Meat Inspection Commission in the establishment, operation and regulation of slaughterhouses, livestock and meat inspection and the imposition and collection of fees and other charges rendered thereon;

WHEREAS, Republic Act 9296, approved by Congress last February 2004. provides that the National Meat Inspection Commission is now officially named National Meat Inspection Service (NMIS);

WHEREAS, the City of Muntinlupa is among the area of concern of National Meat Inspection Service (NMIS) due to wide proliferation of unsafe meat sold in the markets within the City;

WHEREAS, there is a need to protect the livestock industry against the ravages of communicable animal diseases in order to accelerate its growth and development.

WHEREAS, communicable diseases like Foot and Mouth Disease, a highly contagious viral disease that affects cloven-footed animals, has in the past hit the country in epidemic proportions to the detriment of the livestock industry in particular and the economy in general;

WHEREAS, the City Government is cognizant of the fact that joint efforts of national and local government agencies and offices is necessary to effectively control prevent and eradicate Foot and Mouth Disease (FMD) in the City;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod in session duly assembled that:

SECTION 1. DEFINITION OF TERMS

1. Meat- refers to all edible parts of an animal:

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- 2. Fresh Meat- refers to meat that has not been treated in any way other than by modified atmosphere packaging or vacuum packaging to ensure its preservation. This includes frozen meat, chilled meat, minced meat and mechanically recovered meat;
- 3. Meat Product- shall refer to meat that has been subjected to a treatment irreversibly modifying its organoleptic and physicochemical characteristics;
- 4. Fully Processed Meat Products- refers to meat products which have been subjected to such treatment that will ensure the destruction of the FMD virus according to the following procedures and that necessary precautions were taken after processing to avoid contact of the meat with any potential source of FMD virus;
 - 1. Canning- refers to a process which involved heating the meat placed in a hermetically sealed container to an internal core temperature of at least seventy degrees celsius (70°C) for a minimum of thirty (30) minutes, or any equivalent treatment which has been demonstrated to inactivate the FMD virus:
 - 2. Through Cooking refers to a process which involves heating deboned and defatted meat to an internal temperature of at least seventy (70°C) degrees Celsius (70°C) for a minimum of thirty (30) minutes;
 - 3. Drying after Salting refers to the process which involves thorough soaking of deboned meat-when rigor mortis is complete in brine or table salt (NaCI) solution at a ration of 2.25 parts brine to one part meat, and then drying the salted meat at ambient temperature.
- 5. Semi-Processed Meat Products- refers to those that have not been subjected to any of the three treatments enumerated above;
- 6. By-Products- refers to hides, horns, skin, bones, hooves and other parts or products of pigs, cattle, carabaos, goat, sheep and other cloven-footed animals that are unsuitable for human consumptions;
- 7. Fully Processed Animal Products refer to those that were subjected to any of the treatments enumerated in no 3 above;
- Animal Effects- refers to any hay, forage or similar materials used as blankets and the like for FMD- susceptible animals;

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- 9. Foot and Mouth Disease (FMD) refers to the highly infectious viral disease caused by Picornavirus that primarily affects pigs, cattle, carabaos, sheep, goats and other cloven-footed animals, the symptoms of which include, among others, appearance of vesicles and blisters, lameness due to vesicles affecting the hooves, loss of appetite due to blisters or vesicles on the tongue, mouth and snout;
- 10. FMD-Susceptible Animals- shall refer to cloven-footed animals including but not limited to pigs, cattle, carabaos, sheep and goats;
- 11. FMD Outbreak- refers to one or more reported clinical cases of FMD infection among animals that occurred in a specific date and location (backyard or commercial farm, slaughterhouse or auction market). FMD cases that were detected within two (2) weeks after the initial case are also considered part of the same reported outbreak;
- 12. Illegal/Unauthorized Shipments refers to modes of transporting animal, meat and meat products prohibited under this Ordinance and those not covered by any written authority or permit from the appropriate government agencies which include but are not limited to the Bureau of Animal Industry (BAI), National Meat Inspection Services (NMIS), Office of the City Veterinarian, Veterinary Quarantine Service (VQS), etc.

SECTION 2. OBJECTIVE

The objective of this Ordinance is to regulate the Sale of Meat in Muntinlupa City, to prevent the entry of adulterated, unsafe meats for human consumption.

SECTION 3. SLAUGHTERHOUSE AND STOCKYARD OPERATION

- It shall be illegal to operate any slaughterhouse, stockyard, holding pen, livestock auction market and similar establishments without the required licenses, permits or clearance duly approved by the Office of the Mayor and other concerned government agencies. All illegal slaughterhouse, stockyards, livestock auction markets and similar establishments, more particularly those engaged in backyard operations, shall be closed immediately upon issuance of an Order by the City Mayor and/or other concerned government agencies.
- All animals brought to slaughterhouses must be covered by required permits and all necessary documents required by the controlling authorities (NMIS for "AAA" and "AA" slaughterhouses and LGU for class "A" and non-Owners are required to provide the controlling accredited facilities). authorities with the necessary information about their animals for the purpose of traceability

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> All animals must be subjected to ante-mortem inspections before entering the holding pens and stockyards. All such animals must be slaughtered within twenty-four (24) hours from time of arrival. No slaughtered animals shall be kept in the slaughterhouses, holding pens and stockyards beyond the twenty four (24) hour period provided herein. All LGU's with slaughterhouse in their areas should ensure that the NMIS Meat Control Officer, LGU Meat Inspector and Livestock Inspector are present in the premises to undertake ante-mortem inspection upon arrival of the animals and prior to slaughter.

> The NMIS Meat Control Officer and/or LGU meat inspector/s shall likewise conduct port mortem inspection of all animals slaughtered. They shall also ensure that only wholesome, FMD-free meat and meat products shall bear the Meat Brand and Meat Inspection Certificate. All animals, meat and meat products infected with FMD must be condemned, burned, then buried immediately in a pit built for the purpose by the NMIS Meat Control Office and/or LGU meat inspector, at the sole expense of the owner.

> The NMIS and City Veterinary Office shall ensure that all laws, rules regulations, and ordinances pertaining to operation of slaughterhouses, holding pens and stockyards are strictly implemented and complied with.

SECTION 4. TRANSPORT TRADING AND OF LIVESTOCK SUSCEPTIBLE ANIMALS, MEAT, MEAT PRODUCTS. PRODUCTS, ANIMAL PRODUCTS AND ANIMAL EFFECTS

The transport, shipment and bringing in of livestock and other FMDsusceptible animals, their meat, meat products, by-products, animal products and animal effects from FMD-infected areas, as determined by the City Agriculturist, City Veterinarian with notice to the public, to FMD-free areas into and within the city, shall be prohibited unless such livestock, FMDsusceptibles animals, meat, meat products, by-products, animal products and animal effects from duly accredited farms, meat processing farms and the like and are accompanied by a Veterinary Health Certificate, BAI Authority to Ship, Meat Inspection Certificate (NMIS), livestock/Meathandler's License and a Shipping Permit duly issued by the City Veterinarian, BAI, Veterinary Quarantine Officers or any licensed veterinarian duly deputized by BAI through the recommendation of the City Veterinarian and the municipal/City Mayor.

b. It shall be unlawful to transport, ship or bring into the city livestock and other FMD-susceptible animals, their meat, meat products, by-products, animal products and animal effects found to be infected with FMD, with or without the required permits, clearances and other documents.

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c. All permits, licenses and certificates such as but not limited to veterinary Health Certificate. Meat Inspection Certificate and Shipping Permit are required for the transport of livestock and other FMD-susceptible animals, their meat, meat products, by-products, animal products and animal effects from one local government unit to another within or outside the province. The permits, licenses, certificates and other necessary documents shall be presented to the authorities whenever required.

d. All vehicles and carriers used in the transportation of livestock and other FMD-susceptible animals must be disinfected upon loading and unloading. In case where the animal cargo is found positive for FMD, the vehicle shall be impounded in the impounding area and properly disinfected under the supervision of the Department of Agriculture, Bureau of Animal Industry Veterinary Quarantine Service and the City Veterinarian. The expense for the disinfection service shall be borne by the owner of the cargo. The infected animals shall be properly disposed of in accordance with the provision of this Ordinance.

e. All livestock and meat traders must secure all the necessary permits, licenses, certificates and clearances for the transport of live animals, meat and meat products and by-products.

SECTION 5. GENERAL REQUIREMENTS FOR MOVEMENT OF LIVESTOCK, FMD SUSCEPTIBLE ANIMALS, THEIR MEAT, MEAT PRODUCTS, BY-PRODUCTS, ANIMAL PRODUCTS AND ANIMAL EFFECTS.

- a. The transport, movement or shipment into, outside or within the City of any of the following possible sources of FMD virus or contamination shall require a written authority or permit from the BAI Director or his duly authorized representative:
 - i) FMD susceptible animals, their unprocessed semen and embryo/ova;
 - ii) Fresh, frozen, or chilled meat sourced locally; uncooked meat products and by-products; unprocessed and semi-processed milk sourced locally; and semi-processed meat products and by-products;
 - iii) FMD vaccines
 - iv) Dung of chicken, pig and ruminants; and
 - v) Animal effects or any hay, straw, forage, or similar material used as feeds and bedding materials of FMD susceptible animals.
- b. In case of meat and meat products, a Certificate of Inspection from the NMIS shall be required before a written authority/permit can be issued by the Director of BAI or his duly authorized representative.

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SECTION 6. LICENSING OF LIVESTOCK TRADERS, TRANSPORT, OPERATORS, BOAR-FOR-HIRE OPERATORS AND ARTIFICIAL INSEMINATION CENTERS.

All livestock Traders, Transport Operators, Boar-for-hire Operators and Artificial Insemination Centers are required to register and secure all the necessary licenses from the City government thru the City Veterinary Office. Traders of livestock, meat, meat products, and by-products must secure all the required permits, licenses and clearances for the appropriate national and local government agencies.

SECTION 7. COMPULSORY VACCINATION

- a. All owners, managers, veterinarians or consultant of livestock farms and similar establishments are required to vaccinate all livestock and other FMD-Susceptible animals on a regular basis accordance with BAI rules and regulation. A Report on such regular vaccination shall be submitted by the owner, manager, veterinarian or consultant of livestock farms and similar establishments to the City Agriculturist or City Veterinarian.
- b. Backyard raisers of livestock and other FMD-susceptible animals shall present their animals for vaccination, voluntarily or whenever required, to the City Veterinarian or City Agriculturist or their representative.

SECTION 8. ACCREDITATION OF POULTRY OR LIVESTOCK FARMS AND SIMILAR ESTABLISHMENTS

- a. It shall be mandatory for commercial livestock farms and similar establishments to secure accreditation, from Bureau of Animal Industry, Department of Agriculture-RFU Veterinary Quarantine Service and the City Veterinarian's Office.
- b. Only duly accredited livestock farms and establishments shall be allowed to transport livestock, FMD-susceptible animals, their meat, meat products, by-products, animal products and animal effects.

SECTION 9. DISPOSITION OF ILLEGAL OR UNAUTHORIZED SHIPMENTS

a. The transport, movement or shipment of livestock and other FMD-susceptible animals, their meat, meat products, by-products, animal products, animal effect, FMD vaccines and other items without the required permits/certifications and which are contrary to the provisions of this Ordinance are declared illegal/unauthorized and are, therefore prohibited. All such illegal/unauthorized shipments shall be disposed of in accordance with the following guidelines:

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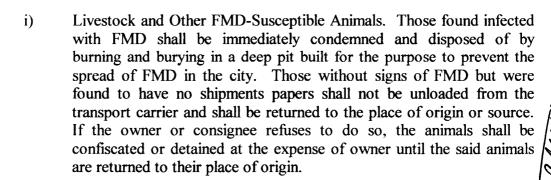
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- ii) Meat and Meat Products. Unauthorized shipment of meat and meat products shall be seized and disposed of immediately at the point of entry as provided by NMIS rules and regulations.
- iii) FMD Vaccines, Unauthorized shipment of FMD vaccines shall be seized and turned over to the BAI for proper disposal.
- iv) Animal Products, Effects and Other Good not enumerated above shall be seized, condemned, burned and buried in the pit built for the purpose and the sole expense of the owner.
- b. Any and all costs and expenses incurred in the storage and/or disposal of illegal/unauthorized items mentioned above shall be borne exclusively by the shipper/trader/person or corporations liable for such violation.
- c. The seizure, confiscation, disposal of animals, meat, meat products, byproducts, animal products, animal effects and other items shall be properly documented, covered by appropriate custody or acknowledgement receipt and witnessed by at least two (2) representatives of the local authorities prior to condemnation, disposal or release.
- d. All items, materials, things, goods and effects used in the illegal or unauthorized transport or shipment of livestock and other FMD-susceptible animals, their meat, meat products, by-products, animal products and animal effects and other items which are found to be inflected with FMD shall be impounded, disinfected and/or disposed of in accordance with this Ordinance, other applicable Ordinances, pertinent laws and rules and regulations at the sole expense of the owner/operator.

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SECTION 10. CREATION OF LOCAL MEAT INSPECTION BOARD

The City Mayor shall form and constitute a Local Meat Inspection Board which shall be tasked to monitor and check the entry, shipment, movement and transport into and within the City of Livestock, FMD-susceptible animals, their meat, meat products, by-products, animal products, animal effects and other items and points of entry duly designated for the purpose. The Local Meat Inspection Board shall be composed of the following:

-Chairman City Mayor -Vice Chairman City Vice-Mayor Chairman, Committee on Agriculture -Member Environment, Fisheries and Aquatic Resources Chairman, Committee on Markets, Slaughterhouses - Member Hawkers Chairman, Committee on Health and Sanitation -Member -Member Head, Market operation Chief, Business Permit and Licensing Office -Member Head, Office of the City Veterinarian -Member -Member Head, City Health Office Head Muntinlupa Police -Member Head, POSO -Member Head, ESC -Member Head, TED -Member Head, Legal Office -Member

The Local Meat Inspection Board shall perform the following functions: b.

> 1. To regulate the preparation and sale of meat for human consumption based on national policies, guidelines and standards within their territorial jurisdiction;

-Member

- 2. To supervise the operation of slaughterhouses when meat distribution is limited within the locality only;
- 3. To conduct meat inspection in all slaughterhouses, market within the City;
- 4. To certify the fitness for human consumption of meat and meat products intended for distribution within the locality only;

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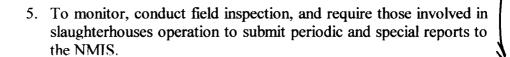
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- 6. To control movement of meat and meat products from priority reportable diseases endemic areas to free zones in country.
- 7. Verify pertinent documents that accompany the cargo livestock, poultry, meat and its by-products, as the case maybe namely;
 - Veterinary Health Certificate for livestock issued by the Office of the City Veterinarian of origin or his duly authorized representative:
 - b. Animal shipping Permit for livestock issued by the Regional and City Veterinary Quarantine Office or their duly authorized representatives if shipment is from one region to another and from one city to another within the region, respectively;
 - c. Authority to Ship Livestock by Bureau of Animal Industry or his duly authorized representative pursuant to Department of Agriculture Administrative Order No. 5 and all pertinent administrative issuances, rules and regulations;
 - d. Meat Inspection Certificate (MIC) in case of meat, meat by-products from at least slaughterhouses and abattoirs. In no case shall meat, meat products and by-products enter the territorial jurisdiction of this City if the same originated from Class "A" slaughterhouses and abattoirs from outside the city;
 - Livestock and/or poultry handlers license if shipment is for commercial purposes:
 - 1. Conduct ocular inspection of the cargo to determine the physical health status of animals transported, meat, meat products, by-products.
 - 2. Gather necessary evidence for the prosecution of violators of this ordinance.
 - 3. Submit to the Mayor a monthly report stating in full the details of apprehensions and dispositions.
 - 4. Enforce all quarantine laws, administrative order and memorandum circulars.

The City Legal Office and the City Prosecutor shall handle the investigation and prosecution of violators of this ordinance.

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- The PNP shall provide police assistance, and security for the implementers of this ordinance;
- The City Veterinarian or the PNP shall file the appropriate complaint to institute the necessary legal action/s against violators of this ordinance.
- The Local Meat Inspection Board is hereby authorized to formulate and issue rules and regulations for the smooth and effective implementation of this Ordinance.
- The Office of the City Veterinarian shall provide assistance and support in the establishment of quarantine check-points and similar entry/exit points for the movement, transport and shipment of livestock, FMD-susceptible animals meat, meat products, by-products, animal products and animal effects.
- Subject to Civil Service law, rules and regulations, the members of the (Local Meat Inspection Board) may designate from among the present personnel of their respective offices their duly authorized representatives who, in their absence, shall act and perform their respective functions under this ordinance.

SECTION 11. **PENALTY**

Violation of any provision of this ordinance shall be punishable by a fine in the amount of not less than Three Thousand Pesos (P 3,000.00) but not more than Five Thousand Pesos (P 5,000.00) or by imprisonment of not less than six (6) months but not more than one (1) year, or both, at the discretion of the court.

PRESUMPTION OF GUILT SECTION 12.

Any person having in his possession, control or custody FMD-susceptible animals, their meat, meat products, by-products, including those regulated or prohibited under this ordinance, shall upon demand by competent authorities exhibit the documents prescribed in the preceding sections.

Failure to present such documents shall constitute prima facie evidence, and especially so if said animals, meat, meat products, by-products, animal products and animal effects in his possession are found to be infected with FMD as diagnosed by the City Veterinarian or his duly authorized representative.

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SECTION 13. NON-LIABILITY CLAUSE

- a. All charges for storage, demurrage, cartage, labor incident to inspection, cost of disinfection, impounding, burying, condemnation, disposal of all animals, meat, meat products, animal products, animal effects and other items transported or shipped in violation of this Ordinance shall be paid by the shipper, trader, person or firm found liable violating any of the provisions of this ordinance.
- b. The members of the Local Meat Inspection Board and other local government personnel authorized to implement the provisions of this ordinance, and their duly authorized representatives shall not be held liable for damages incurred by the violator in the course of the implementation of the provisions of this Ordinance.

ADMINISTRATIVE PENALTY SECTION 14.

Any City Veterinarian or other local government officials and employees found to be grossly negligent in the performance of his/her obligations under this ordinance and in the implementation of the provisions of this Ordinance shall be held administratively liable in accordance with the Civil Service Law, rules and regulations.

BUDGET APPROPRIATION SECTION 15

The Executive Department is required to prepare the necessary budget for the effective implementation of this Ordinance.

SECTION 16. SEPARABILITY CLAUSE

If for any reason, any section or provision of this Ordinance is declared unconstitutional or inconsistent with any national laws other section or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 17. REPEAL

Any existing Local Ordinance or provision thereof inconsistent herewith are hereby repealed or amended accordingly.

SECTION 18. **EFFECTIVITY CLAUSE**

This Ordinance shall take effect in accordance with Section 59 and 511 of Republic Act No. 1760 otherwise known as the Local Government Code of 1991.

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APPROVED, by the Fourth (4th) Sangguniang Panlungsod of Muntinlupa this 17th day of February 2005, on its 26th Regular Session.

TTY, RAUL R. CORRO

Councilor

ALLAN REY A. CAMILON

Councilor

MA. LUISA BABARAN-ECHAVEZ, M.D.

Councilor

MELCHOR R. TEVES

Councilor

ALLEN T. AMPAYA

Councilor

CONCURRED:

ELMER'S. ESPELETA

Councilor

FRANCIS FAN T. BÄGATSING

Councilor

MARISSA COLÉ-RONGAVILLA

Conncilor

MAMERYO T. SEVILLA, JR.

Councilor

MARIO E. BULAY, JR.

Councild

ATTY. ICASIANO M. DELA REA

Councilor

CHRISTIAN GLENN D. LORICA

Sectoral Representative President, Federation of Sangguniang Kabataan ARTEMIO A SIMUNDA

Sectoral Representative President, Association of Barangay Captains

ABSENT:

BAL NIEFES

Councilor

RENE CARL S. CAYETANO

Councilor

KEVIN B. DELGADO

Councilor

LUCIO B. CONSTANTINO

Councilor

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JOSELITO V. AREVALO

Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE Secretary Sangguniang Panlungsod

ATTESTED:

City Vice Mayor Presiding Office

APPROVED:

ATTY. JAIMÉ R. FRESNEDI City Mayor

Date:

PBS, JR.

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