



4th SP

EXCERPT FROM THE MINUTES OF THE 20TH REGULAR SESSION OF THE 4th SANGGUNIANG PANLUNGSOD (SP) HELD AT THE SP SESSION HALL, LEGISLATIVE BUILDING, EAST POBLACION, CITY OF NAGA, CEBU ON NOVEMBER 15, 2019.

PRESENT:

- HON. VIRGILIO M. CHIONG
- HON. JUSTINO L. DAKAY
- HON. SCOTT JUVENAL A. CHIONG
- HON. AURELIO B. ALINSONORIN
- HON. AFSHIN MARK K. SEÑOR
- HON. CHARMAINE R. NAVARRO
- HON. PORFERIO V. RESABA, JR.
- HON. DOMINADOR A. LIBOR
- HON. LUZMINDA R. LAPITAN
- HON. RAY A. MANABAT
- HON. JHUN MARK T. SISMAR
- HON. LETECIA F. ABANGAN

- Acting Vice Mayor/Presiding Officer Pro Tempore
- Majority Floor Leader
- Assistant Majority Floor Leader/ABC President
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- SK Federation President
- On Leave



(Note: HON. VICE MAYOR/PRESIDING OFFICER KRISTINE VANESSA T. CHIONG IS ACTING CITY MAYOR)

ORDINANCE NO. 2019-07

Hon. Justino L. Dakay

SP Committee Chairperson on Agriculture and Food

ESTABLISHING THE CITY OF NAGA, CEBU MEAT INSPECTION SERVICE (CNCMIS), PROVIDING THE PENALTIES FOR THE VIOLATION THEREOF, AND APPROPRIATING FUNDS FOR THIS PURPOSE

EXPLANATORY NOTE

Section 15 Article II and Sec. 9 Art XVI of the 1987 Constitution guarantees that the State shall protect and promote the right to health of the people and instill health consciousness among them and protect consumers from trade malpractices and from substandard or hazardous products.

Article 2 of the Consumer Act of the Philippines, Republic Act (RA) 7394, states that it is the policy of the state to protect the interest of the consumer, promote his general welfare and establish standards of conduct for business and industry.

Section 8 of the Meat Inspection Code of the Philippines (RA 9296), as amended by RA 10536, provides that the National Meat Inspection Service (NMIS) shall formulate and issue and implement jointly with the appropriate Local Government Units (LGUs) national policies, guidelines, rules and regulations and programs.

Section 10 of the aforesaid laws provides that the LGUs shall regulate the construction, management and operation of the slaughterhouses, meat inspection, meat transport and post-abattoir control, monitor and evaluate and collect fees and charges in accordance with the national policies, procedures, guidelines, rules and regulations and quality and safety standards as promulgated by the Department of Agriculture (DA) Secretary.

Section 15(c) of the Food Safety Act of 2013 (RA 10611) states that the local government units (LGUs) shall be responsible for food safety in food businesses such as, but not limited to, activities in fish ports, wet markets, supermarkets, school canteens, restaurants, catering establishments, water refilling stations, street food sale and ambulant bending;

Section 19 (a) of RA 10611 further provides that the LGUs shall be responsible for the enforcement, implementation of hygiene and sanitation laws and the use of applicable standards

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of the DA and the Department of Health (DOH) for food produced within their territorial jurisdiction;

Section 458(5) of the Local Government Code of 1991 (RA 7160) provides that the Sangguniang Panlungsod shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this code, and, in addition to, said basic services and facilities shall; (ii) establish markets, slaughterhouses or animal corrals and authorize the operation thereof by the city government; and regulate the construction and operation of private

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Panlungsod of the City of Naga, in a session duly assembled, that:

SECTION 1. SHORT TITLE. This Ordinance shall be known as the CITY OF NAGA, CEBU MEAT INSPECTION SERVICE.

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance, the following words and phrases shall mean as follows:

1. Adulterated- carcasses, or any part thereof, whether meat or meat product, under one or more of the conditions stated in Republic Act 9296, otherwise known as the "Meat Inspection Code of the Philippines."
2. Banned- refers to meat, meat products, and processed meat products that are prohibited for importation, or have come from a country, prohibited to export to the Philippines.
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 validate the complaint.
4. Controlling Authority- refers to the City of Naga, Cebu Meat Inspection Service. (CNCMIS).
5. Core Group - the regular members of the task force currently employed as veterinary inspectors/meat control officers and meat inspectors of the CNLMIS.
6. Donee- refers to the person who, or charitable institution, which is recipient of the donated meat/meat products.
7. Enforcement Team/Task Force - a group composed of veterinary inspectors/meat control officers, meat inspectors, and representatives from concerned Local Government Unit (LGU) agencies organized and designated by the head of office to conduct post-meat establishment management activities.
8. Hot Meat - refers to the carcass of parts of the carcass of food animal which was slaughtered in an unregistered meat establishment and has not undergone the required inspection.
9. Imitation - a product that is made to appear as to be mistaken for what is real or original.
10. Imported - refers to meat, meat products, and 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.
11. City of Naga, Cebu Meat Inspection Service. (CNCMIS) - includes, provincial meat inspection service responsible for ensuring the safety and quality of meat and meat products for human food.
12. Meat- refers to the fresh, chilled or frozen, edible carcass including offal derived from food animals.
13. 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.
14. 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 conditions as it 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.
15. 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.

16. 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.

17. Processed – includes all methods manufacture and preservation but does not include pre-packaged fresh, chilled or frozen.

18. Seizure- the act of taking possession of hot meat or spurious meat items by the task force from a person/ or premises where the actual selling took place.

19. 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, vehicles and the like, and the apprehension of the suspect and his accomplices/coHORTs for the purpose of detention, investigation and filing of case/s.

20. 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.

21. Veterinary Inspector or Meat Control Officer - an inspector who is professionally qualified as a veterinarian duly appointed by the CNCMIS.

22. Veterinary Health Certificate - refers to the certificate which will be issued by the private veterinarian or government veterinarian.

23. Live Animal Carrier Permit- refers to the permit issued by the Regulatory division of the Department of Agriculture which allows certain vehicle to take or travel live animals inside or outside the City.

SECTION 3. CREATION OF AN ENFORCEMENT TEAM KNOWN AS “BATANG KARNE” POST MEAT ESTABLISHMENT CONTROL. The Team or Task Force Composition shall be responsible for that only quality meat and by products are sold, delivered and/or distributed in the City. The Post-Meat Establishment Control Task Force of the City of Naga shall have a core group which shall be composed of the following:

- Chairperson : City Mayor
- Enforcement Team Leader : City Veterinarian
- Members : Chief, City of Naga Police Station
Barangay Captain
Barangay Peace and Safety Officer (BPSO)
City Administrator
Business Permit & Licensing Officer
City Health Officer
City Legal Officer
Sanitary Officer
Meat Inspector

SECTION 4. SCOPE OF IMPLEMENTATION. All of the following located in the City of Naga Cebu.

A. Meat markets/channels shall be covered under the jurisdiction of this ordinance:

1. Rolling Stores;
2. Meat Shops/stalls;
3. Lechon Houses and stands;
4. Ambulant meat stalls/ vendors/ peddlers;
5. Supermarkets and grocery stores;
6. Restaurants, canteens, and eateries;
7. Catering services;
8. Hotels and other institutional buyers;
9. Meat handlers;
10. Private domicile, particularly, those suspected depots of “hot meat” subject to legal requirements; and
11. Other channels where meat and meat products are slaughtered, prepared, handled, processed, stored and distributed.

B. The following items shall be the subject of regulation of this ordinance:

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;
2. Processed meat products, chilled, frozen, or canned, manufactured, by (a) neither accredited nor locally registered meat establishment but found to be adulterated;
3. Imported meat and meat products, whether chilled, frozen or canned, but found to be adulterated; and
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.

SECTION 5. PROCEDURE IN CONDUCTING POST-MEAT ESTABLISHMENT CONTROL INSPECTION.

A. In conducting post-meat establishment control inspection, the Task force shall:

1. Obtain a mission order issued by Local Chief Executive for every operation to be conducted;
2. Wear the official uniform, except in case of strike operation;
3. Wear an identification card as issued by the City Government of Naga, Cebu or the agency it represents as the case maybe;
4. Bring the following:
 - a) Minimum serviceable communication equipment and other tools, such as, cellular phones, flashlights, ticklers and ballpen;
 - b) Camera (capable for still photo shots and video footaging) shall be used for the documentation of all operations and disposal of seized items that may be conducted;
 - c) Citation ticket to be issued to the violators during inspection. (see attached Citation Form).

Two (2) service vehicles, one for the transport of team members and another for the transport of confiscated meat and by product preferably refrigerated meat van for the confiscated and meat by product intended for the proper disposal through burning/burying fire.

- c) Denaturants or other chemicals, such as, kerosene.

B. In conducting post-meat establishment control inspection, the Task force shall collect a Certificate from the barangay, which certifies the source of the said live animal intended either for slaughter or travel and safe for human consumption. During transportation of live animals intended for slaughter the following requirements are needed:

1. Veterinary Health Certificate issued either by private veterinarian or government veterinarian.
2. Live Animal Carrier Permit issued by the Regulatory Division of the Department of Agriculture.
3. Animal Handlers Permit for individuals travelling/accompanying live animals from the point of origin to slaughterhouses.
4. Disinfection Permit issued by the Sanitary Inspector from the LGU from which the live animal came from
5. Meat Van passing the City are required to present duplicate copy of their meat van accreditation service.

SECTION 6. 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 minimum requirements in the disposal of meat and meat products seized during a strike operation:

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 a freezer storage to preserve its condition until the court had been rendered judgment on the case;

2. Five (5) gram sample units shall be obtained randomly, except those coming from banned/prohibited countries for organoleptic examination and other laboratory analysis. The laboratory results may be used as evidence in the on-going litigation;

3. Those found fit for human consumption shall be donated for a charitable institution duly registered by the Securities and Exchange Commission (SEC) and preferably located within the City;

4. 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 rendering plan;

5. Disposal procedures shall be properly documented for future reference. The condemnation certificate shall be signed by all concerned representatives, witness and other interested parties; and

6. 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 7. PENALTY. Any person, establishment or corporation found to violate the provisions of this Ordinance shall be meted with the following penalty:

One Thousand Pesos (P1,000.00) - **First Offense**
Two Thousand Pesos (P2,000.00) - **Second Offense**

Failure to submit necessary certification as stated in Section 5 (B) shall be meted with the following penalty:

Issuance of Veterinary Citation Ticket for non-compliance of the above mentioned requirements. Failure to present the said certification, apprehending officer will give Veterinary Citation Ticket verifying that the person did not present the required certificates.

SECTION 8. APPROPRIATION. The City Government of Naga, Cebu shall allocate the necessary funds to support in the enforcement of this Ordinance particularly the operation, meat inspection and control, and other related activities of the city enforcement team.

SECTION 9. REPEALING CLAUSE. Any other ordinance in conflict with the provisions of this Ordinance shall be deemed repealed.

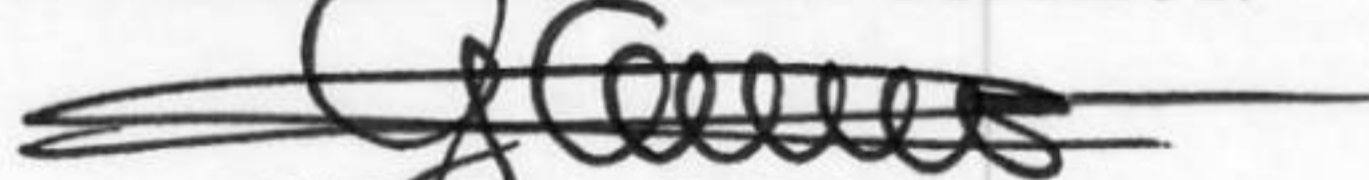
SECTION 10. SEPARABILITY CLAUSE. If any portion of this Ordinance is declared by any court of competent authority is illegal and unconstitutional, other portions not so declared shall remain in full force and effect.

SECTION 11. EFFECTIVITY. This ordinance shall take effect immediately upon approval hereof.

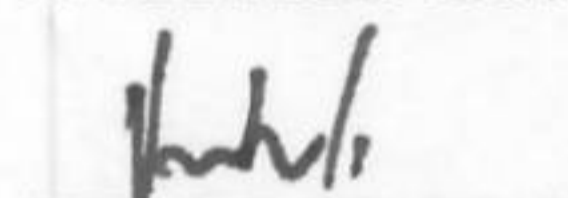
APPROVED UNANIMOUSLY this 15th of November 2019 on motion of Hon. Justino L. Dakay, seconded by Hon. Dominador A. Labor.

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CERTIFIED TRUE AND CORRECT:


GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:


VIRGILIO M. CHIONG
Acting Vice Mayor/Presiding Officer Pro Tempore

APPROVED BY:


KRISTINE VANESSA T. CHIONG
Acting City Mayor