Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
18th City Council

PO2011-124

56th Regular Session

ORDINANCE NO. SP-2164, S-2012

AN ORDINANCE AMENDING ORDINANCE NO. SP-1891, S-2008 BY PROVIDING A STIFFER PENALTY ON TRANSPORTATION, DISTRIBUTION, STORING AND/OR SELLING OF DOUBLE DEAD MEAT AND "HOT MEAT" IN ALL MARKETS WITHIN THE TERRITORIAL JURISDICTION OF QUEZON CITY AND AUGMENTING THE SCOPE THEREOF AND FOR OTHER PURPOSES.

Introduced by Councilor ALLAN BENEDICT S. REYES.

Co-Sponsored by Councilors Godofredo T. Liban II, Eufemio C. Lagumbay, Anthony Peter D. Crisologo, Gian Carlo G. Sotto, Jesus Manuel C. Suntay, Alexis R. Herrera, Ivy Lim-Lagman and Eden "Candy" A. Medina.

Co-Introduced by Councilors Julian ML. Coseteng, Jaime F. Borres, Jessica Castelo Daza, Jose Mario Don S. De Leon, Precious Hipolito Castelo, Dorothy A. Delarmente, Francisco A. Calalay, Jr., Ricardo T. Belmonte, Jr., Julienne Alyson Rae V. Medalla, Roderick M. Paulate and Raquel S. Malañgen.

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC LIBRARY

WHEREAS, the sale of double-dead meat and "hot meat" is against the law of the Philippines, in fact, Republic Act No. 9296, also known as the Meat Inspection Code, and Republic Act No. 7394, otherwise known as the Consumer Act of the Philippines, provide penalties both fine and imprisonment for selling double dead meat and hot meat;

WHEREAS, Section 10 of Republic Act No. 9296 provides that "Regulation by Local Government Units. - The local government units, pursuant to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 and Executive Order No. 137, shall regulate the construction, management and operation of 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 Secretary;

WHEREAS, Section 11 of Republic Act No. 9296 provides that "Implementation by the Local Government Units. - The local government units shall have full and complete authority over the activities mentioned in the immediately preceding Section (Section 10) as the authority to evaluate and implement duly prescribed national meat standards within their respective territorial jurisdiction;

WHEREAS, Section 48 of Republic Act No. 9296 provides that, Prohibited Acts: xxx (c) sell, transport, offer or receive for sale or transportation in commerce carcasses or parts thereof, meat or meat product required to be inspected under this Act unless they have been so inspected and passed;

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC LIBRARY

WHEREAS, Section 58 of Republic Act No. 9296 provides that, Any carcasses or products of carcasses found to have been prepared, handled, packed, stored, transported or offered for sale as human food not in accordance with any provisions of this Act shall be confiscated and disposed of as provided in the Implementing Rules and Regulations at the expense of the person, firm or corporation found to be in violation thereof;

Further, Section 58.1 provides: Personnel of the NMIS and LGUs employed for the purpose of meat inspection shall have the authority to confiscate any carcasses, parts of carcasses, meat and meat products found to have been prepared, handled, packed, stored, transported or offered for sale as human food not in accordance with any provisions of this Act.

WHEREAS, there is a need to adopt intensive measures against individuals or group of individuals discreetly selling double dead meat or "hot meat" products at the local markets in order to protect the public from food-borne, illness and communicable diseases that pose a serious health hazard to consumers;

WHEREAS, Section 458 (4)(viii) of the Local Government Code states that, "Provide for the impounding of stray animals; regulate the keeping of animals in homes or as part of a business, and the slaughter, sale or disposition of the same; and adopt measures to prevent and penalize cruelty to animals";

WHEREAS, Section 458 (5)(ii) of the Local Government Code provides that, "Establish markets, slaughterhouses or animal corrals and authorize the operation thereof by the City Government; and REGULATE the construction and OPERATION of private markets, talipapas or other similar buildings and structures";

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC LIBRARY

WHEREAS, Quezon City Ordinance No. 1891, S-2008 otherwise known as "An Ordinance Governing The Slaughtering of Food Animals, Meat Inspection and Meat Trade in Quezon City" recognized the role of the Market Development and Administration Department in cooperation with the City Health Department through its Veterinarian Division to regulate the meat trade within Quezon City.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGUAR SESSION ASSEMBLED,

SECTION 1. SCOPE – All meat of any kind whether coming from inside or outside of Quezon City which are intended to be transferred, stored or sold in any public and/or private markets, mini markets, cold stores, meat marketing outlets and distributors, talipapas, groceries or other similar buildings operating within the territorial jurisdiction of Quezon City shall be subject to the prior inspection by the City Veterinarian at a place designated by the City Health Department.

This Ordinance shall likewise apply to all dealers and distributors or any person, firm or corporation who handles slaughter, process, store, distribute meat in any meat markets of Quezon City for the purpose of selling it for food to the public consumer.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

SECTION 2. PRESUMPTION – It is hereby presumed that, in the absence of any accompanying certificate of meat inspection issued by the National Meat Inspection Service (NMIS) or a deputized LGU meat inspector and meat inspection stamped marked as NMIS or (LGU) Inspected and Passed" on meat from within or coming from outside the territorial jurisdiction of Quezon City is prima-facie evidence that the meat is double dead or hot meat.

The provisions hereof shall be dealt with under Section 6 of this Ordinance.

SECTION 3. DUTIES OF THE CITY VETERINARIAN – If the meat confiscated under Section 6 hereof is found to be double-dead meat or "hot meat", the City Veterinarian or any of its duly authorized representatives shall cause the proper disposal of the said meat.

However, if it is still fit for human consumption as certified by the City Veterinarian, the meat shall be given to the Quezon City Jail for the consumption of the detainees and/or prisoners therein.

Meat dealers and/or distributors coming from outside the territorial jurisdiction of Quezon City shall secure clearance as "Inspected and Passed" from the City Veterinarian before the meat be taken out for distribution in markets located in the City. Subject to the provisions of existing laws and regulations, the City Veterinarian is directed to set guidelines for the effective implementation of this Section.

The City Veterinarian or its duly authorized representatives shall strictly regulate the entry of meat and meat products.

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC LIBRARY

Nothing in this Section shall in any way diminish or impair the powers, duties and responsibilities of the City Health Officer and City Veterinarian mandated under Ordinance No. 2304 and Ordinance No. 3759.

SECTION 4. DUTIES OF THE CITY MARKET ADMINISTRATOR – The City Market Administrator is in charge of the operation of public and private markets and mini-markets, talipapa, cold stores, groceries, and all meat marketing outlets and distributors operating within the Quezon City. The Market Administrator may revoke the permit to operate of slaughterhouses or markets violating Section 5.2 of this Ordinance.

SECTION 5. PROHIBITED ACTS –

5.1. Meat coming from OUTSIDE the territorial jurisdiction of Quezon City. It shall be unlawful for any person, firm or corporation to:

a. Transport and distribute within the territorial jurisdiction of Quezon City any double dead meat or "hot meat" regardless of quantity and for the purpose of selling it to the innocent market goers.

b. Transport and distribute within the territorial jurisdiction of Quezon City any kind of meat without NMIS mark, stamp, tag or label as "Inspected and Passed" and accompanying thereof meat inspection certificate by an authorized meat inspection officer.

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC LIBRARY
LAW DEPARTMENT

5.2. *Meat Trade WITHIN the territorial jurisdiction of Quezon City. It shall be unlawful for any person, firm or corporation to:*

a. *Store, sell or offer within the territorial jurisdiction of Quezon City any double dead meat or "hot meat" regardless of quantity and for any purpose.*

b. *Store, sell or offer within the territorial jurisdiction of Quezon City any kind of meat without NMIS mark, stamp, tag or label as "Inspected and Passed" and Veterinary Clearance in case of meat coming from slaughterhouses within the City.*

SECTION 6. CONFISCATION AND FORFEITURE OF PROCEEDS AND INSTRUMENTS – In cases falling within Sections 2 and 5 of this Ordinance, the City Veterinarian or any of its duly authorized representatives shall automatically confiscate the meat without any mark, stamp, tag or label as "Inspected and Passed" and/or accompanying meat inspection certificate. In those cases, the duties set forth under Section 3 of this Ordinance shall be strictly observed by the City Veterinarian or any of its duly authorized representatives.

Every penalty imposed for violation of this Ordinance shall carry with it the forfeiture of the proceeds of the offense and the instrument or tools utilized/ used for its Commission.

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

QUEZON CITY PUBLIC

SECTION 7. ACCESS TO MEAT ESTABLISHMENTS – The City Veterinarian or any of its duly authorized representatives shall conduct an examination and inspection of all meat prepared for commerce in any public or private markets including all slaughterhouses, or similar establishment within the territorial jurisdiction of Quezon City and for that purpose, shall have access at all times, day or night, whether the establishment is in operation or not, to every part of said establishment.

SECTION 8. PENALTIES – The penalties for any violation of this Ordinance are as follows:

8.1. In cases falling within Section 5.1.a and 5.2.a. - In addition to the confiscation and forfeiture provided in Section 6 of this Ordinance, any person, firm, corporation association or partnership violating this Ordinance shall be punished by a fine of not less than five thousand pesos (P5, 000) or by imprisonment of not more than one (1) year or both such fine and imprisonment in the discretion of the court.

8.2. In cases falling within Section 5.1.b and 5.2.b. – If found to be double dead meat and/or hot meat, the immediately preceding paragraph shall govern.

Provided, that all costs for the proper disposal of the double dead meat and/or hot meat shall be at the expense of the person, firm, corporation, association or partnership found to be in possession thereof.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

Provided, further that if the violation is committed by a juridical entity, the President, General Manger, managing partner or any person entrusted with the administration thereof at any time of the commission of the violation shall be held criminally responsible or liable therefore. Moreover, the latter is under obligation to notify its employees about the violations and penalties imposed under this Ordinance.

SECTION 9. IMPLEMENTING AUTHORITY – The Market Development and Administration Department and City Veterinary are hereby designated/ directed to strictly implement this Ordinance.

SECTION 10. SUPPLETORY EFFECT OF OTHER LAWS AND ORDINANCES – The provisions of this Ordinance shall be without prejudice to the applications of other laws vesting national agencies with jurisdiction over specific meat trade, which shall remain in force and effect.

SECTION 11. REPEALING CLAUSE – All ordinances, resolutions, executive orders or parts thereof which are inconsistent with any provision of this Ordinance are hereby repealed or modified.

SECTION 12. SEPARABILITY CLAUSE – If, for any reason or reasons, any part of this Ordinance shall be declared unconstitutional and held invalid, other parts or provision hereof which are not affected thereby, shall continue to be in full force and effect.

QUEZON CITY PUBLIC LIBRARY
LAW RESEARCH

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional

SECTION 13. EFFECTIVITY – This Ordinance shall take effect upon its approval and satisfaction of its publication and posting requirement.

ENACTED: May 14, 2012.

RANULFO Z. LUDOVICA
President, Liga ng mga Barangay
and Ex-Officio Member
Acting Presiding Officer

ATTESTED:

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 30 AUG 2012

HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on May 14, 2012 and was PASSED on Third/Final Reading on May 21, 2012.

Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

PULILAN CITY PUBLIC LIBRARY
LAW DESK

Created with nitroPDF professional
download the free trial online at nitropdf.com/professional