

H. No. 6714
S. No. 1269

Republic of the Philippines
Congress of the Philippines
Metro Manila
Seventeenth Congress
Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fourth day of July, two thousand seventeen.

[REPUBLIC ACT NO. 11052]

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:

ARTICLE I

TITLE, STATEMENT OF POLICY, AND
DEFINITION OF TERMS

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

SEC. 2. *Statement of Policy.* – The State recognizes the importance of professional food technologists in nation-building and development. Hence, it shall develop and nurture competent, virtuous, productive, and well-rounded professional food technologists whose standards of practice and service shall be excellent, world class, and globally competitive through honest, effective, relevant, and credible licensure examinations and through regulatory programs, measures, and activities that foster their professional growth, social responsibility, and development.

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

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

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

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

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

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

(a) Identification of the appropriate specifications of raw materials and supervision over their procurement;

(b) Supervision of food processing operations;

(c) Evaluation of the microbiological, physical, chemical, sensory, and functional properties of food;

(d) Certification of the analysis of microbiological, physical, chemical, sensory, and functional properties of food;

(e) Technical transactions (e.g. sale, trading) of food, food ingredients and additives, and machineries, equipment, and implements used in safe and quality food production and distribution;

(f) Conduct of basic and applied research towards development and/or improvement of the safety and quality of food products;

(g) Teaching, lecturing, and reviewing of a professional subject in the curriculum of the Bachelor of Science in Food Technology degree or subject in the food technology licensure examination given in any college, university, or training or review center, or any other educational institution or certification body;

(h) Compliance with food laws and regulations in manufacturing and distribution of foods in the local and international markets;

(i) Implementation of quality management systems (food safety, laboratory management, quality requirements, and quality audit);

(j) Provision of assistance in waste management for environmental safety;

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

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

ARTICLE II

THE PROFESSIONAL REGULATORY BOARD
OF FOOD TECHNOLOGY

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

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

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

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

(c) Issue special permits to persons admitted to the practice of food technology for a specific duration of time, and certificates of recognition for advanced studies, researches and accomplishments that contribute to the enrichment of the profession;

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

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

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

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

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

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

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

(k) Hear and investigate cases on violations of this Act, its implementing rules and regulations (IRR), the Code of Ethics, the Code of Good Governance, the Code of Technical Standards for the practice of food technology and for this purpose, to issue summons, *subpoena ad testificandum*, and *subpoena duces tecum* to alleged violators and witnesses to compel their attendance in hearings or investigations: *Provided*, That the decision of the Board shall, unless appealed to the PRC, become final and executory after fifteen (15) days from receipt thereof;

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

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

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

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

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

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

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

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

(b) A degree holder of a Bachelor of Science in Food Technology as conferred by a school, college or university in the Philippines or abroad where its food technology program is recognized by the CHED;

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

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

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

SEC. 8. *Term of Office of the Members of the Board.* – The Chairperson and members of the Board shall hold office for a term of three (3) years from the date of appointment or until their successors shall have been qualified and appointed. They may be reappointed in the same office for another term of three (3) years immediately after the expiry of their term: *Provided*, That no member of the Board shall hold office for more than two (2) terms or more than six (6) years: *Provided, further*, That the first Board appointed under this Act shall hold these terms of office: the Chairperson for three (3) years, the first member for two (2) years, and the second member for one (1) year: *Provided, finally*, That an appointee to a vacancy shall serve only the unexpired portion of the term of office. The Chairperson and members shall take their oaths of office before a duly authorized officer.

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

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

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

SEC. 11. *Supervision of the Board, Custodian of its Records, Secretariat, and Support Services.* – The Board shall be under the administrative supervision of the PRC. All records of the Board, including applications for examination papers and results, minutes of deliberation, administrative cases, and other investigations involving food technologists shall be kept by the PRC.

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

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

ARTICLE III

EXAMINATION AND REGISTRATION

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

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

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

(b) Must be of good moral character;

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

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

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

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

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

(c) Quality Sensory Evaluation of Food; and

(d) Food Laws and Regulations.

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

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

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

SEC. 18. *Issuance of the Certificate of Registration and Professional License.* – A certificate of registration shall be issued to examinees who pass the licensure examination for food technologists subject to payment of fees prescribed

by the PRC. The certificate of registration shall bear the signature of the Chairperson of the PRC and the members of the Board, stamped with the official seal, indicating that the person named therein is entitled to practice the profession with all the privileges appurtenant thereto. This certificate shall remain in full force and effect until revoked or suspended in accordance with this Act.

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

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

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

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

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

SEC. 22. *Reinstatement, Reissuance or Replacement of Certificate of Registration and Professional License.* – Two (2) years after the date of revocation, the Board may, upon application and for reasons deemed proper and sufficient, reinstate any revoked certificate of registration and reissue a professional license, and in so doing, may, in its discretion, exempt the applicant from taking another examination.

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

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

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

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

(b) Foreign food scientists or technologists employed as exchange professors or instructors in recognized local schools, universities, colleges, or instructors to teach Food Science and Technology subjects; and

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

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

ARTICLE IV

PRACTICE OF FOOD TECHNOLOGY

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

SEC. 27. *Integration of Food Technologists.* – All food technologists shall be integrated into one (1) national organization, which shall be recognized by the Board and by the PRC as the one and only integrated and APO of food technologists. A food technologist duly registered with the Board shall automatically become a member of the integrated and APO of food technologists, and shall receive the benefits and privileges thereto, upon payment of the required fees and dues. Membership in the integrated and APO shall not be a bar to membership in other associations of food technologists.

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

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

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

Likewise, the following acts shall be prohibited:

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

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

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

ARTICLE V

FINAL PROVISIONS

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

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


SEC. 33. *Implementing Rules and Regulations.* – To implement the provisions of this Act, the Board shall, subject to the approval of the PRC, promulgate the rules and regulations and the Code of Ethics for food technologists within thirty (30) days after the effectivity of this Act.


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

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


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

Approved,


 AQUILINO "KOKO" PIMENTEL III
 President of the Senate


 PANTALEON D. ALVAREZ
 Speaker of the House of Representatives

This Act was passed by the House of Representatives as House Bill No. 6714 on December 11, 2017 and adopted by the Senate as an amendment to Senate Bill No. 1269 on March 5, 2018.


 LUTGARDO B. BARBO
 Secretary of the Senate


 CESAR STRAIT PAREJA
 Secretary General
 House of Representatives

Approved: JUN 29 2018


 RODRIGO ROA DUTERTE
 President of the Philippines

