

SENATE
S. No. 627

Introduced by Senator Pelaez

AN ACT

TO AMEND THE TITLE AND CERTAIN SECTIONS OF REPUBLIC ACT NUMBERED ONE THOUSAND FIVE HUNDRED FIFTY-SIX OTHERWISE KNOWN AS THE LIVESTOCK AND POULTRY FEEDS ACT., AND PROVIDE FUNDS THEREFORE.

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

SECTION 1. The title of Act Numbered One thousand five hundred fifty-six is hereby amended to read as follows:

“An Act to regulate and control the manufacture, importation, labelling, advertising, DISTRIBUTION, and sale of livestock and poultry feeds, AND PROVIDING FUNDS THEREFOR.”

SEC. 2. Sub-sections (d), (e), (k), (n), and (o) of Section 3 are hereby amended to read as follows: “(d) “Feeds” or Feeding Stuff” shall EMBRACE ALL such articles TO BE used AS FEEDS purporting to supply proteins, carbohydrates, fats, minerals, vitamins, antibiotics, GROWTHPROMOTING FACTORS WHETHER IDENTIFIED OR UNIDENTIFIED, and/or correcting nutritional disorders. Such articles may be locally produced or imported, mixed or in the form of a simple ingredients; PROVIDED HOWEVER, THAT THE FOLLOWING ARE EXCLUDED:

- (1) WHOLE SEEDS OR GRAINS, UNMIXED.
- (2) FRESH GREEN ROUGHAGE AND UNPROCESSED LIQUID MILK I ALL ITS FORMS
- (3) DRIED AND GROUND HA7S AND STRAWS, DRIED AND GROUND CORN STALKS OR OTHER PARTS OF THE CORN PLANT NOT INCLUDED IN THE GRAIN, RICE HULLS, CANE SUGAR BAGASSE, DRIED BEET PULP, OAT HULLS, BARLEY HULLS, CLIPPED OATS BY-PRODUCTS, COTTON SEED HULLS, MONGO BEAN HULLS, BUCKWHEAT HULLS, COCOA SHELLS, OR OTHER MATERIALS OF A SIMILAR CHARACTER.

“(e) “Owner” is the person, firm, partnership, COOPERATIVE, association or corporation applying for the REQUIRED registration unders this Act OR ANY PERSON OR ESTABLISHMENT ACTUALLY ENGAGED IN THE MANUFACTURE, IMPORTAN, DISTRIBUTION AND SALE OF LIVESTOCK AND POULTRY FEED.

“(k) “Analyst “means any official analyst appointed OR DESIGNATED AS SUHC BY THE DIRECTOR OF ANIMAL INDUSTRY FOR THE PURPOSE OF IMPLEMENTATION OF THIS ACT.

“(n) “Concentrates” shall apply to FEEDSTUFFS LOW IN FIBER AND HIGH IN TOTAL DIGESTIBLE NUTRIENTS. “ADULTERATED FEED” OR MIXED FEEDS, FEEDSTUFFS OR INGREDIENTS FOUND TO CONTAIN ANY MATERIAL THAT IS PROVE INJURIOUS, DAMAGED OR OF NO FOOD VALUE OR IF ANY SUBSTANCE HAS BEEN ADDED THERETO THUS INCREASING ITS BULK OR WEIGHT OR REDUCING ITS QUALITY OR STRENGTH. FOR PURPOSE OF THIS ACT A MIXTURE OF TWO OR MORE MIXED FEEDS OR DIFFERENT FORMULAS OR BRAND WITH INTENT TO SELL IS ALSO CONSIDERED ADULTERATED FEED.”

SEC. 3. Sub-section (b), (c) and (g) of Section 4 of Republic Act Numbered One thousand five hundred fifty-six are hereby amended to read as follows:

“(b) Application for registration or annual renewal thereof, shall be made by the person, partnership, COOPERATIVE firm corporation, or association, marketing, manufacturing, importing, INDENTING, OR DISTRIBUTING such feeds or feedingstuffs, or by his accredited agent in such form and manner as may be prescribed from time to time by regulations. EACH TYPE OR KIND OF FEEDS OR FEEDSTUFFS MANUFACTURED OR IMPORTED SHALL BE REGISTERED SEPARATELY. AND IN THE CASE OF RETAILERS EVERY STORE SHALL ALSO BE REGISTERED SEPARATELY.

“(c) An application for registration shall be accompanied by a reigstration fee of five pesos for EACH STORE REGISTERED BY A PERSON, FIRM, COOPERATIVE, patnership, corporation or assorciation engaged in retailing or distribution of commercial feeds or feeding stuffs, FIFTY PESOS FOR DISTRIBUTORS and one hundred pesos for LOCAL FEEDSTUFFS SUPPLIERS WITH GROSS SALES OF ONE THOUSAND PESOS OR MORE, TWO HUNDRED PESOS FOR IMPORTERS AND/OR INDENTORS AND THREE HUNDRED PESOS FOR

MANUFACTURERS OF COMMERCIAL FEEDS OR FEEDING STUFFS. THE REGISTRATION FEE SHALL BE PAYABLE, AT THE OPTION OF THE PERSON, PARTNERSHIP FIRM, COOPERATIVE, CORPORATION OR ASSOCIATION ENGAGED IN THE MANUFACTURER, IMPORTATION, SALE OR DISTRIBUTION OF FEEDS OR FEEDING STUFFS, ANNUALLY, ON OR BEFORE THE TWENTY-FIRST OF JANUARY, OR SEMI-ANNUALLY, ON OR BEFORE THIRTY-FIRST OF JANUARY AND JULY, WHEN A BUSINESS IS NEWLY OPENED DURING ANY YEAR THE REGISTRATION FEE SHALL BE RECKONED FROM THE COMMENCEMENT OF CURRENT SEMESTER; AND WHEN EITHER AT ANY TIME ABANDONED THE REGISTRATION FEE SHALL NOT BE EXACTED FOR A LONGER PERIOD THAN TO THE END OF THE SEMESTER; PROVIDED, THAT THOSE WHO ELECTED TO PAY THE REGISTRATION FEE IN FULL SHALL NOT BE ENTITLED TO A REFUND OF THE FEE CORRESPONDING TO THE UNUSED PERIOD FOR WHICH THE FEE HAD BEEN PAID.

“(g) The Director MAY SUSPEND, SUBJECT TO THE RULES AND REULATION PROMULGATED FOR IMPLEMENTATION OF THIS ACT, the registration of any feed or feeding stuff which is found after proper investigation to be not in conformity with the provisions of this Act, in registration, importation, manufacture, distribution, labelling, adversiting or sale UNLESS SUBSEQUENT PRODUCTION IS PROVEN TO BE INNOCOUS, HARMLESS AND IN ACCORDANCE WITH THE QUALITY STANDARD FOR THE PARTICULAR PRODUCT SET FORTH IN THE REGISTRATION UNDER THIS ACT. ONCE SUSPEMDED A FORMAL INVESTIGATION SHOULD BE CONDUCTED THEREON BY THE COMMITTEE CREATED FOR THIS PURPOSE PURSUANT TO SECTION 5 OF THIS ACT. BUT THE ACTION OF THE DIRECTOR OF ANIMAL INDUSTRY MAY BE APPEALED TO THE SECRETARY OF AGRICULTURE AND NATURAL RESOURCES WITHIN THIRTY DAYS FROM NOTICE OF THE ACTION: PROVIDED, THAT PENDING FINAL ACTION BY THE SECRETARY OF AGRICULTURE AND NATURAL RESOURCES ADULTERATED, DAMAGED OR INJURIOUS FEED SHALL BE INPOUNDED AND THE SUBSEQUENT MANUFACTURE THEREOF PROHIBITED BY THE DIRECTOR OF ANIMAL INDUSTRY: PROVIDED, FURTHER, THAT WHEN THERE IS REASONABLE CAUSE TO BELIEVE THAT CERTAIN FEEDS OR FEEDSTUFFS ARE DAMAGED, ADULTERATED OR INJURIOUS SUCH FEED OR FEEDSTUFFS SHALL BE IMMEDIATELY IMPOUNDED AND PORTION THEREOF SOLD TO THE PUBLIC THE RETRIED BY AND AT THE EXPENSE OF THE MANUFACTURER, IMPORTER OR RETAILER UPON NOTICE OF THE DIRECTR OF ANIMAL INDUSTRY.”

Section 4 to be known as sub-section (h) and to read as follows:

“(H) THAT THE DIRECTOR OF ANIMAL INDUSTRY OR HIS DULY AUTHORIZED REPRESENTATIVE SHALL HAVE THE POWER TO INVESTIGATE THE SOURCES AND / OR DISTRIBUTION OR RETAILERS OF FEED INGREDIENTS SUCH AS RICE MILLS, CORN MILLS, FLOUR LEAF MILLS AND SUCH AS OTHER MILLS THAT MANUFACTURE INGREDIENTS USED IN THE COMPOUNDING OF FEED AND FEEDING

SECTION 5. THE SECRETARY OF AGRICULTURE AND NATURAL RESOURCES UPON THE RECOMMENDATION OF THE DIRECTOR OF THE ANIMAL INDUSTRY, SHALL APPOINT A COMMITTEE TO BE KNOWN AS ANIMAL FEED CONTROL ADVISORY COMMITTEE, COMPOSED OF THE FOLLOWING:

1. CHIEF, ANIMAL FEED CONTROL DIVISION, BUREAU OF ANIMAL INDUSTRY, CHAIRMAN;
2. CHIEF, LABORATORY SERVICES DIVISION, BUREAU OF ANIMAL INDUSTRY, MEMBER;
3. ONE MEMBER FORM THE ANIMAL HUSBANDRY DEPARTMENT, U.P. COLLEGE OF AGRICULTURE;
4. ONE MEMBER FROM THE LEGAL DIVISION, DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES;
5. ONE MEMBER FROM THE LEGAL UNIT, BUREAU OF ANIMAL INDUSTRY;
6. ONE MEMBER FROM THE DULY RECOGNIZED FEED MILLERS ASSOCIATION;
7. ONE MEMBER FORM THE DULY RECOGNIZED POULTRY RAISER ASSOCIATION; AND
8. ONE MEMBER FROM THE DULY RECOGNIZED SWINE RAISERS ASSOCIATION; AND
9. ONE MEMBER FROM THE PHILIPPINE SOCIETY OF ANIMAL SCIENCE RECOMMENDED BY THE ANIMAL SCIENCE COUNCIL OF SAID SOCIETY.

THE COMMITTEE SHALL UPON REQUEST, REFERRAL OR ORDER OF THE DIRECTOR OF ANIMAL INDUSTRY CONDUCT STUDIES, EVALUATION AND FORMAL INVESTIGATION AND MAKE RECOMMENDATIONS ON MATTERS ARISING FROM THE IMPLEMENTATION OF THIS ACT. FOR THIS PURPOSE THE COMMITTEE IS AUTHORIZED TO CONDUCT FIELD INVESTIGATIONS, HEARING, AND RECEIVE EVIDENCE ON MATTER APPERTAINING THERETO INCLUDING THE AUTHORITY TO ISSUE SUBPOENA, SUBPOENA DUCES DECUM, SUMMON WITNESSES AND SECURE OR OBTABU THE ASSISTANCE OR FACILITIES OR PERSONNEL OF OTHER OFFICES UNDER THE DEPARTMENT OF AGRICULTURE AND NATURAL RESOURCES.

THE COMMITTEE SHALL ALSO ASSIST OR ADVISE THE DIRECTOR OF ANIMAL INDUSTRY IN THE FORMULATION OF RULES AND REGULATIONS OF THE IMPLEMENTATION OF THIS ACT.

Section 6. Sub-section 2, 3 and 4 of Section 5 of Republic Act Numbered One thousand five hundred fifty-six are hereby deleted, onesub-section is hereby inserted after-section 1 of Section 5 to be known as sub-section 2.

“2. EVERY CONTAINER OF FEED OR FEEDING STUFFS MANUFACTURED, AND/OR DISTRIBUTED SHALL HAVE AFFIXED THERETO A TAG OR LABEL, OR A CONSPICUOUS PLACE ON THE OUTSIDE THEREOF, CONTAINING A LEGIBLE AND PLAINLY PRINTED STATEMENT CERTIFYING:

- (A) THE NET WEIGHT IN METRIC EQUIVALENT OF THE CONTENTS.
- (B) THE NAME, BRAND OR TRADEMARK AND NUTRITIVE PURPOSE
- (C) THE NAME AND PRINCIPAL ADDRESS OF THE MANUFACTURER OR PERSON RESPONSIBLE FOR PLACING THE COMMODITY ON THE MARKET.
- (D) THE MINIMUM PERCENT OF CRUDE PROTEIN.
- (E) THE MINIMUM PERCENT OF CRUDE FAT.
- (F) THE MAXIMUM PERCENT OF CRUDE FIBER.
- (G) THE MAXIMUM PERCENT OF ASH.

“(f) REQUIRING THE SERVICE OF LICENSED CHEMIST AND VETERINARIAN OR ANIMAL NUTRITIONIST BY MANUFACTURERS OF MIXED FEEDS IN CONNECTION WITH THE ANALYSIS, TESTS, FORMULATION, COMPOUNDING AND MIXING OF FEED AND FEEDING STUFF AND TO PRESCRIBED SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO CARRY OUT THE PURPOSE OF THIS ACT;

“(g) PRESCRIBING METHODS OF CHEMICAL AND BIOLOGICAL TESTS FOR DETERMINING THE PURITY AND SAFETY OF FEEDS AND FEEDING STUFFS, AND PRECRIBING RULES AND REGULATIONS FOR THE SUPERVISION AND CONTROL OF SAID TESTING; AND

“(h) REQUIRING THE PUBLICATION OF THE RESULTS OF ANALYSIS AND TEST OF SAMPLES OF FEEDS AND FEEDING STUFF COLLECTED FROM FEED INGREDIENT SUPPLIERS AND FEED MANUFACTURERS; SAID PUBLICATION, AT LEAST THREE TIMES IN A CALENDAR YEAR PREFERABLY IN JANUARY, MAY AND SEPTEMBER SHOULD SPECIFY BOTH WHICH ARE IN COMPLIANCE AND NOT IN COMPLIANCE WITH THE GUARANTEED ANALYSIS OR QUALITY STANDARD SET FORTH UNDER THIS ACT OR UNDER THE RULES AND REGULATIONS PROMULGATED THEREUNDER.”

SEC. 11. SUB-section (b) and (c) of section 9 of Republic Act Numbered One Thousand Five Hundred fifty-six are hereby amended to read as follows:

SEC. 9. “(b) all fees, charges and other income derived from the operation of this Act, shall accrue to the Philippine Livestock Promotion Fund as provided in Commonwealth Act Numbered One hundred and eighteen, as amended, and shall be deposited with the National Treasury to the credit of the said fund: PROVIDED, HOWEVER, THAT EIGHTY PERCENT OF SAID INCOME SHALL BE SET ASIDE AND SPENT ONLY FOR THE MAINTENANCE AND IMPOVEMENT OF SERVICES AND LABORATORY FACILITIES IN THE BUREAU OF ANIMAL INDUSTRY NEEDED IN THE IMPLEMENTATION OF THIS ACT, AND FOR TRAINING AND RESEARCH DIRECTLY RELEVANT TO THE IMPLEMENTATION OF THIS ACT.

“(C) ALL OTHER EXPENDITURES NECESSARY TO CARRY OUT THE PURPOSE OF THIS ACT, INCLUDING ALL EXPENDITURES FOR THE ADVISORY COMMITTEE CREATED UNDER SECTION 5 HEREOF, shall be paid from the unalloted balance of the Philippin Livestofck Promotion Fund created under Commonwealth Act Numbered on thousand and eightteen, as amended.”

SEC. 12. Sub-section (a) and (b) of Section 10 of Republic Act Numbered One thousand five hundred fifty-six are hereby amended to read as follows:

“SEC. 10 Offenses and Penalties – (a) It shall be unlawful for any person, partnership, firm., COOPERATIVE corporation or association to engaged in the manufacture, importation, sale or distribution of feeds or feeding stuff, without having first registered in accordance with this act in the office of the Director of Animal Industry;

“(b) ANY PERSON FIRM, PARTNERSHIP, COOPERATIVE, corporation or association OR ITS PRESIDENT / GENERAL MANAGER OR ANY PERSON which will unlawfully use a registration number, fraudulently lessen or adulterate the feeding value of any feed or feeding stuff, or tamper with packaged feeds for fraudulently purposes willfully removed, alter or efface the precribed tags, labels, markings, or other information placed on packages of feeds or feeding stuffs, fraudulently alter or use certificates of analysis of nay official analyst; willfully obstruct, hinder, resist or in any other way oppose an inspector THE DIRECTOR OR HIS DULY AUTHORIZED REPRESENTATIVE in the execution of his duties under this Act; make unauthorized disposition of feeds placed under detention; import, manufacture, distribute, advertise, sell or offer for sale or possess for sale any feed which does not conform with or contravenes the provision of

this Act; or otherwise violate any provision of this Act and the rules and regulations issued thereunder, shall be punished by a fine of not less than one thousand pesos or by imprisonment of not more than one year and one day, or by both, in the discretion of the court ASIDE FROM THE FINE IMPOSED IN THE COURT.”

SEC. 13. SHOULD ANY PROVISION OR PROVISIONS OF THIS ACT BE DECLARED UNCONSTITUTIONAL, THE REST OF THE PROVISION SHALL NOT BE AFFECTED HEREBY.

SEC 14. This act shall take effect upon its approval.

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