



**Asia-Pacific
Economic Cooperation**

2015/SOM3/SCSC/FSCF/PTIN/RT/012

Philippine Experience - Government As Regulator

Submitted by: Philippines



APEC
PHILIPPINES
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**Towards a Future of Prevention and Partnership:
Roundtable on Effective Industry / Regulator
Cooperation
Cebu, Philippines
24-25 August 2015**

Magandang Umaga Sa Inyong Lahat!

TOWARDS A FUTURE OF PREVENTION AND
PARTNERSHIP:
ROUNDTABLE ON EFFECTIVE INDUSTRY/REGULATOR
COOPERATION

PANEL 1: *PHILIPPINE EXPERIENCE*
GOVERNMENT AS REGULATOR

EXEC DIR MINDA S MANANTAN, DVM
NATIONAL MEAT INSPECTION SERVICE (NMIS)
Department of Agriculture
24 August 2015

OUTLINE

- NMIS
- REGULATORY TRIGGERS
- GUIDING PRINCIPLES IN REGULATION
SETTING
- REGULATION-SETTING PROCESS
- IN REAL LIFE

NMIS: Mandate

The **NMIS** shall:

- **promulgate and implement policies, procedures, guidelines, rules and regulations** governing post production flow of livestock and meat and met products
- **protect the interest, health and general welfare of the meat consuming public**
- endeavor for the **development of the livestock and meat industry**

NMIS: Mandate

- **PD 7 (1972)** – providing for the orderly marketing of meat and meat products and establishing a national meat inspection system (LOI 16 of 1972)
- **RA 7160 (1990)** – devolving certain functions of NMIC to the local government units, establishing meat inspection as a basic service by the LGU (EO 137 of 1993)
- **RA 7394 (1992)** – providing for consumer protection through product safety and quality, adoption of standards and redress of consumer complaints (DA AO 9 of 1993)

NMIS: Mandate

- **RA No. 8435 (1997)**- calling for agricultural modernization, prescribing for standards for agri-fishery products including meat; encouraging privatization of slaughterhouse operation
- **RA No. 8485 (1997)**- providing for humane slaughter

NMIS : Mandate

RA 9296 (2004)- identifying **NMIS as the national competent authority on meat inspection and hygiene;**

- delineating functions between NMIS and the LGUs;
- requiring slaughter of food animals in approved facility and inspection and certification of meat prior to sale (DA AO 28 of 2005);
- transferring jurisdiction over meat products from BFAD/FDA to NMIS (DA-DOH Joint AO 1 of 2010)

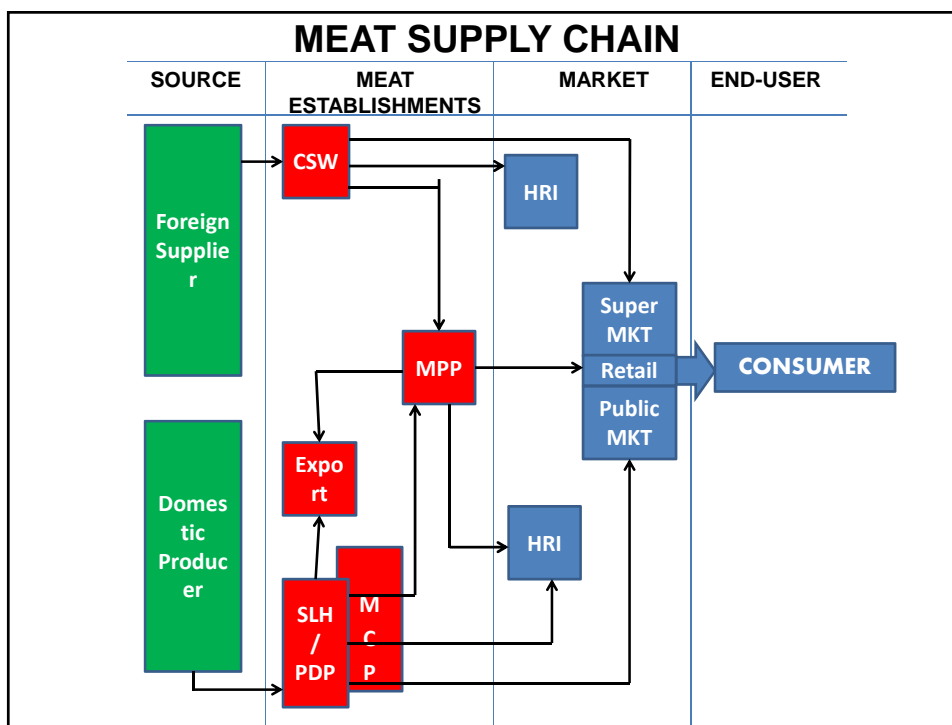
NMIS: Mandate

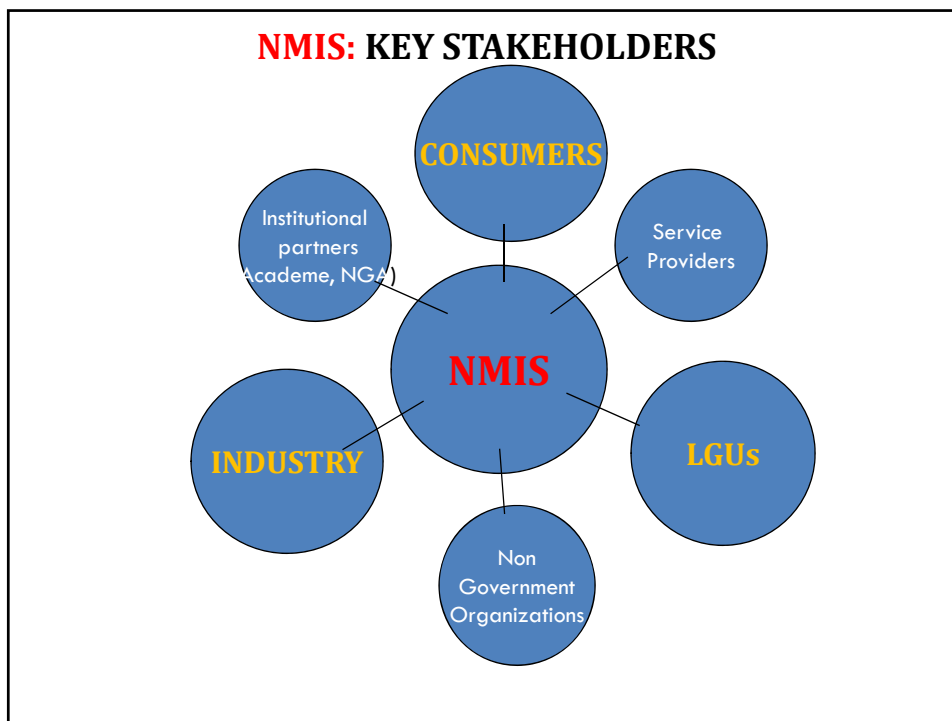
RA10536 (2013)- amending RA 9296

- prescribing penalties for prohibited acts;
- strengthening NMIS organization

RA 10611 (2013)- provides the regulatory framework for food safety and delineates scope of responsibilities of the

- **DA** primary and post harvest foods,
- **DOH** processed foods
- **LGU** business establishments in their area of jurisdiction)





NMIS: Regulatory Activities



- Meat Establishment Accreditation/Licensing
 - (local and foreign)
- Hygiene of Operation
- Ante and Post Mortem Inspection
- Market surveillance
- Product Registration

REGULATORY TRIGGERS

- ADVERSE INCIDENT
- STAKEHOLDERS DEMAND
- INTERNATIONAL AGREEMENT
- POLICY DIRECTION
- SUBSIDIARY TO A LAW

GUIDING PRINCIPLES IN REGULATION-SETTING

- Science-based
- Risk analysis; may adopt established standards , recommendations by international bodies to which the Philippines is a member or existing regulation in countries where product is produced/sourced
- Non-discriminatory
- Transparent ; allows comment from stakeholders and general public
- Enforceable

REGULATION SETTING PROCEDURE

DRAFTING PHASE

- National controlling authority receives/ recognizes regulatory trigger
- Official issuance for the Creation of Drafting Committee/ Technical Working Group usually composed of persons of known expertise from related national government agencies, academic institutions and professional groups
- Identification of problem
- Collation of relevant data and information
- Writing of Working Document

REGULATION SETTING PROCEDURE

CONSULTATION PHASE

organized by 3rd party (PCAF)
 sectoral , geographic, international
 usually 30-day period for comment
 depending on issue

CONSOLIDATION PHASE

deliberates on the comments after comment
 period
 may call for succeeding consultation when there is
 strong objection or conflict among sector
 finalizes draft for submission to issuing authority

REGULATION SETTING PROCEDURE

REVIEW AND APPROVAL PHASE

Legal and Policy

Issued by appropriate authority

PUBLICATION

National Registry Office

Newspaper of national circulation

NOTIFICATION

“IN REAL LIFE”

1. AO 22 (S 2010)

- “Regulating the sale of frozen and chilled meat in the meat markets”
- Over-importation in anticipation of election led to diversion of frozen meat previously for processing into retail market
- Meat vendors accustomed to selling newly slaughtered meat; not properly trained on the hygienic handling of frozen meat
- Trading partners questioned the absence of regulation for domestically newly-slaughtered, only for frozen
- CODEX with limited reference to frozen meat
- After revisiting the regulation, AO 22 was withdrawn and replaced with AO 5 S 2012 (Hygienic handling of newly-slaughtered meat) and AO 6 S 2012 (Hygienic handling of frozen, chilled and thawed meat)



“IN REAL LIFE”

2. MECHANICALLY SEPARATED MEAT

- traditionally used as extender for processing of emulsified meat products
- Slowly replacing regular meat as main ingredient in formulations; no restriction on inclusion rate
- Being sold by traders to small processors and retailers
- Regulation has taken 3 years from drafting to consultation as the country does not produce MSM and regulations from countries producing it are varied
- Draft regulation
 1. limit importation to accredited meat processors;
 2. have shorter use- by period than frozen meat
 3. use for heat treated processed products only
 4. not allowed for retail sale

A SENIOR'S MOMENT

Regulations at best when

- **Preventive** rather than **corrective**
- **Promote** (compliance) rather than (defiance)
- **Inclusive** rather **divisive**

Regulators must be seen as

- **Objective**
- **Competent**
- **Realistic**

A SENIOR'S MOMENT

- **Scan the environment.**
 - Know what there is and what there is not.
- **Be always present, be always patient.**
 - Knowing the people you work with makes the work half-done.
- **Consult, consult, consult.**
 - Promote buy-in. The more people owning the ideas, the greater chance for success.
- **Good causes need good champions**

MARAMING SALAMAT PO!

**THANK YOU
VERY
MUCH!**