

## **ORDINANCE NO. 2005-005**

**(Sponsor: Hon. JAIME T. LAZATIN)**

### **AN ORDINANCE GOVERNING THE SLAUGHTERING OF FOOD ANIMALS, MEAT INSPECTION AND MEAT TRADE IN THE CITY OF SAN FERNANDO, PAMPANGA**

#### ***EXPLANATORY NOTE***

***WHEREAS**, Section 458 (a), sub-par (5) of R.A. 7160 provides that, “The Sangguniang Pnalungsod, as the Legislative body of the city shall approve ordinances which shall ensure the efficient and effective delivery of basic services and facilities xxx and in addition shall xxx (iv) regulate he preparation and sale of meat, poultry, fish, vegetables, fruits, fresh dairy products, and other food stuffs for public consumption;*

***WHEREAS**, Section 447 (5) (ii) of R.A. 7160 empowers the Sangguniang Panlungsod to “establish market slaughterhouses or animal corrals and authorize he operation thereof xxx (iii) regulate the preparation and sale of meat, poultry, xxx for public consumption;*

***WHEREAS**, Administrative Order No. 6, s. of 1975 of the National Meat Inspection Service (NMIS) has provided for the Rules and Regulations governing meat inspection in the country, including the ban on the sale of animal and poultry meat that have not undergone inspection and are found to be unfit for human consumption;*

***WHEREAS**, Section 6 of the said Administrative Order has also provided that, “No person, firm, or corporation shall store, traffic, transport, sell or otherwise dispose of for food any carcass or parts of carcasses which have not been previously inspected and passed in accordance with this Order. Carcasses of animals or parts thereof found upon inspection to be unfit for human consumption, shall be condemned in accordance with the provision of this Code.”;*

***WHEREAS**, the Administrative Order has similarly cited the possible transmission of, more or less, 200 different kinds of diseases to consumers of condemned meat, which, in local market parlance are known as “double-dead meat” and “hot meat”;*

***WHEREAS**, the proliferation of stalls in various parts of the city selling various foodstuffs and products have raised concerns from consumers regarding the sanitary conditions of their products and their sources;*

***WHEREAS**, consistent with the general welfare of its constituents, the city government should properly address the sprouting of stalls and ambulant vendors that sell meat, fish and poultry products without prior approval from the city government.*

***WHEREAS**, the Sangguniang Panlungsod of the City of San Fernando, Pampanga passed Resolution No. 2004-049 to implement the Build, Operate and Transfer (BOT) scheme for construction of an “AA” public slaughterhouse;*

***WHEREAS**, the same resolution authorized the City Mayor to negotiate with prospective financier/applicants for the BOT scheme, set conditions, rules and regulations that may be necessary to safeguard public interest, subject to the approval of the Sangguniang Panlungsod through a resolution or ordinance whichever is appropriate.*

***WHEREAS**, public interest dictates the necessity for San Fernando to have its own “AA” Slaughterhouse in order to improve the delivery of basic services by providing its constituents with safe and wholesome meat and likewise create job opportunities to those who are qualified;*

*WHEREAS, after public consultations and committee hearings conducted for the purpose by the Committee on Economic Enterprises, this Ordinance would practically help improve the delivery of basic services by providing its constituents with safe and wholesome meats;*

**NOW THEREFORE, BE IT ENACTED BY THE SANGGUNIANG PANLUNGSOD, in session assembled that:**

## **ARTICLE I TITLE AND DEFINITION OF TERMS**

**Section 1. Title** – This Ordinance shall be known and cited as: **“THE CITY OF SAN FERNANDO ORDINANCE GOVERNING THE SLAUGHTERING OF FOOD ANIMALS, MEAT INSPECTION AND MEAT TRADE IN THE CITY OF SAN FERNANDO, PAMPANGA”**

**Section 2. Definition of Terms** – As used in this Ordinance, the following terms shall mean:

2.1 Slaughter – refers to the process of humane killing of animals intended for human consumption.

2.2 Slaughterhouse or abattoir – refers to the premises approved and registered by the government used in the slaughtering of animals for human consumption.

2.3 Carcass – refers to the body of slaughtered animal after bleeding or dressing.

2.4 Meat Inspector – refers to an employee trained in meat inspection work and authorized to do so.

2.5 Dressing – refers to the process by which animals are processed after killing.

2.6 Food animals – refers to the domestic animals killed for human consumption.

2.7 Meat – refers to the edible part of the animal slaughtered.

2.8 Ante-mortem – refers to the process before slaughter.

2.9 Post mortem – refers to the process after slaughter.

2.10 Double-Dead Meat – refers to carcasses, parts thereof, of food animals or poultry that are already dead, but are still slaughtered and offered for sale to innocent market goers.

2.11 Hot Meat – refers to meat from food animals and poultry clandestinely slaughtered in places unauthorized by law, have not undergone examination or inspection by NMIS-authorized meat inspectors, and sold to the public. This includes the prohibited dog and cat meat.

2.12 Poultry – refers to all chickens and other fowls slaughtered for their meat that is offered for sale in markets.

## **ARTICLE II ADMINISTRATIVE PROVISIONS**

### **Section 3. Slaughtering of Food Animals**

3.1a. The slaughtering of any kind of animal intended for sale and/or consumption in San Fernando, Pampanga shall be done only at the City Slaughterhouse duly accredited by the NMIS. The slaughter of animal intended for home consumption shall not be sold or offered to the general public otherwise, the same shall be subject to automatic confiscation and if found fit for human

consumption, this shall be donated to charitable institutions. Owners of confiscated carcass/meat shall pay all corresponding fees and fines and a certificate of confiscation shall be issued to them.

3.1b. Before any animal is slaughtered, a permit thereof shall be secured from the City Veterinarian or a duly designated authority his or her authorized representative who shall determine whether the animal is fit for human consumption or not. Neither permit to slaughter shall be granted nor fees be collected on animals denied entry by the City Veterinarian.

3.1c. Before issuing Permit to Slaughter, the City Veterinarian shall require the production of certificate of ownership in the name of the applicant. If the applicant is not the original owner and there is no certificate of transfer made in his favor, one such certificate shall be issued upon payment of corresponding fees with the City Treasurer.

3.1d. The permit to slaughter legally secured from the City Veterinarian shall show the date of issue as well as the page of the book in which said permit is entered and wherein data on the owner and the animal shall appear. Moreover, a Meat Inspection Certificate may be issued if requested by the owner before leaving the premises of the slaughterhouse.

3.1e. The permit to slaughter as herein required shall be kept by the owner/retailer to be posted in a conspicuous place in his/her stall at all times.

3.1f. Illegally slaughtered carcasses found in the possession of meat traders and meat vendors shall be confiscated and properly disposed of by the City Veterinarian. The license of violators shall be revoked and they may be permanently banned from engaging in business without prejudice to the imposition of the penal provisions of this ordinance.

3.1g. All animals to be slaughtered in the City Slaughterhouse shall be quarantined for at least six (6) hours prior to slaughtering and shall undergo both ante-mortem and post mortem inspections. All animals that arrive in the City Slaughterhouse shall be immediately inspected upon arrival. Provided, however, emergency slaughter may be conducted to save the carcass but the same shall be subjected to procedural inspections.

3.1h. The Management of the City Slaughterhouse shall not be responsible for feeding animals that are kept in the stockyard or corrals, neither shall it be responsible for loss or damage of animals that are kept in these stockyards or corrals. No carcass, entrails, viscera or fat condemned or retained should be removed or caused to be removed by any person except under the direction and supervision of the City Veterinarian or his authorized representative.

3.1i. All meat inspectors, meat handlers/vendors, butchers and other people who have access to and come in contact with meat in the slaughterhouse are required to undergo medical examination to be conducted by the City Health Office. Such medical examination should be done before these persons can be employed in the City Slaughterhouse.

3.1j. No person who is found to be positive with the use of prohibited drugs and medically found to be suffering from, or who is carrier of, any communicable disease particularly tuberculosis, diarrhea, skin disease or any condition causing discharge of pus or serum from any part of the body, are allowed to work in the preparation, handling, packaging, or transporting of meat from the City Slaughterhouse to any point of destination.

3.1k. Every person who is on duty at the City Slaughterhouse must maintain a high degree of personal hygiene and cleanliness and must at all times wear the prescribed clothing and footwear.

3.1l. Only the City Veterinarian and his staff of Meat Inspectors or duly authorized meat inspectors and/or authorized representative of the NMIS shall perform meat inspection work inside the San Fernando public markets, meat shops, similar food establishments and the City Slaughterhouse. As such, they shall have access at all times to the establishments mentioned thereat.

3.1m. All animals slaughtered for food in the City Slaughterhouse must undergo ante-mortem and post-mortem inspections before being marked "PASSED" for human consumption. Carcasses of animals slaughtered without these inspections shall be confiscated in accordance with the provisions of this Ordinance.

3.1n. The confiscation of carcasses as herein provided shall not be in lieu of, but shall be in addition to, the penalties in this Ordinance or those prescribed by the NMIS in so far as the operation of the City Slaughterhouse, which should be observed and are, therefore, hereby adopted.

3.1o. Only transport vehicles accredited by the City Veterinarian and duly registered with the management of the City Slaughterhouse shall be used to deliver meat products within the City.

**Section 3.2 Regulations on Movement and Slaughter of Food Animals at the Slaughterhouse: Pursuant to the A. O. #28 Series of 2003 by then DA Secretary Luis P. Lorenzo, Jr.**

(a)The following documents shall be presented upon arrival at the slaughterhouse:  
(a)Veterinary Health Certificate to ensure that the animal is not sick or dying and in order to avoid rejection by the slaughterhouse checkers; and (ii)Shipping Permit; (iii) BAI carrier permit. And in case of backyard farm purchase, a special ante mortem examination will be done thoroughly by the Meat Inspector upon arrival at the slaughter house.

(b)Arrival and acceptance of animals is from 12:00 noon to 8:00 p.m. only;

(c)Payment of slaughter house fee in the amount of P20.00 per head for hogs and P43.00 for large animals like cattle, carabao and horses based on the old payment scheme.

(d)Upon the operation of BOT of the Slaughterhouse the amount for the regulatory fee governing the slaughter house shall be determined and ratified by the Sangguniang Panlungsod.

(e)The Collector from the Treasurer's Office will be at the entrance to collect the said payments; together with the BOT representative.

(f)All in-All out policy where all animals delivered for slaughter for the day shall all be slaughtered within the operational hours of 11:00 p.m. to 5:00 a.m. the following day.

**Section 4. Meat Inspection.** The inspection of all meat in the city shall be done by the City Veterinarian and or his staff of Meat Inspectors and or their duly authorized representatives from NMIS.

**Section 5. Meat Trade**

**Section 5.1. Selling of meat, fish and poultry products.** - The selling of meat, fish and poultry products by any person throughout the city of San Fernando shall be allowed only in the following outlets:

(a)Stalls within the premises of the San Fernando Public Market PROVIDED that such stalls are authorized by the San Fernando Market Master Office and possess the corresponding business license and Permit issued by the city government; and

(b) Private wet markets and any other meat outlets and similar establishments PROVIDED that such markets and outlets possess the required business license.

**Section 5.2.** All establishments authorized in Section 5.1 shall contain seals of approval from concerned national and local government agencies empowered by law or ordinance to conduct inspection before the same are distributed and sold.

### **ARTICLE III PENALTIES**

**Section 6. Penalties.** The penalties for any or all violation of this Ordinance are as follows:

**6. 1 Slaughterhouse’s Rules and Regulations under Article II, Section 3.2 (a-f)**

(a) 1<sup>st</sup> Offense – 3-day suspension of the privilege to use the slaughterhouse;

(b) 2<sup>nd</sup> Offense – 1 week suspension of the privilege to use the slaughterhouse; and

(c) 3<sup>rd</sup> Offense – Permanent ban from the use of the slaughterhouse and revocation of the permit to operate.

**6.2 Meat Trade Rules and Regulations under Section 5.1**

(a) 1<sup>st</sup> Offense - a fine of two thousand (P2,00.00) Pesos ;

(b) 2<sup>nd</sup> Offense- a fine of three thousand (P3,000.00) Pesos and or imprisonment of two (2) weeks or both at the discretion of the proper court;

(c) 3<sup>rd</sup> Offense - a fine of five thousand (P5,000.00) Pesos and or imprisonment of 30 days and the permanent closure of the establishment or both at the discretion of the proper court.

**6.3 Violation of Section 5.2**

The owner, proprietor, or operator of any establishment who violates the provisions of Section 5.2 shall be penalized by a fine of TWO THOUSAND PESOS (P2,000.00) without prejudice to other penalties laid down by law or ordinance.

**6.4 Any individual or individuals apprehended in transporting, distributing, storing and/or selling “double-dead meat” and “hot meat” shall be penalized with a fine of FIVE THOUSAND PESOS (P5,000.00), confiscation of condemned meat and revocation of business permit and license to sell and closure of business establishment and/or imprisonment of one (1) year or all of the above-mentioned penalties at the discretion of the proper court.**

**6.5. In case of a meat dealer or distributor, the penalty imposed will be confiscation of the condemned meat and total ban and prohibition of his or her meat distribution business in San Fernando.**

The payment of fine or imprisonment as herein provided shall not relieve the offender from the payment of the delinquent fee or charge imposed under this Ordinance.

If the violation is committed by a Juridical entity, the President, General Manager or any person entrusted with the administration thereof at the time of the commission of the violation shall be held responsible or liable therefore. Moreover, the latter is under obligation to notify its employees about the violations and penalties imposed under this Ordinance.

**Section 7. Coverage.** This Ordinance shall cover all private and public markets and mini-markets, talipapa, cold stores, groceries, and all meat marketing outlets and distributors operating within the City of San Fernando.

**Section 8. Implementing Authority.** The City Veterinary Services Offices is hereby delegated to implement this Ordinance

**Section 9. Separability Clause.** If, for any reason or reasons, any part of this Ordinance shall be declared unconstitutional and held to be invalid, other parts or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

**Section 10. Effectivity.** This Ordinance shall take effect upon its approval and satisfaction of its publication and posting requirement.

**ADOPTED this 16<sup>th</sup> day of March 2005.**