

OFFICE OF THE SANGGUNANG BAYAN

EXCERPT FROM THE MINUTES OF THE 5<sup>th</sup> REGULAR SESSION OF THE 10<sup>th</sup> SANGGUNANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON August 06, 2019.

| OFFICERS/MEMBERS                | POSITION           | PRESENT | ABSENT | OB  | OL  |
|---------------------------------|--------------------|---------|--------|-----|-----|
| Hon. Mydell G. Pacalioga        | Vice Mayor         | ___/___ | ___    | ___ | ___ |
| Hon. Julius G. Jamero           | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Lars Christian C. Tangalin | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Irish J. Mandao            | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Tracy E. Morpos            | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Paquito P. Duerme, Jr.     | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Nilo B. Ledesma            | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Jenny T. Arbitrario        | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Francis Joeray T. Gumban   | SB Member          | ___/___ | ___    | ___ | ___ |
| Hon. Jerson L. Cabahug          | Ex- Officio Member | ___/___ | ___    | ___ | ___ |
| Hon. Leonel C. Dinawanao        | Ex- Officio Member | ___/___ | ___    | ___ | ___ |

**Municipal Ordinance No. 13, s. 2019**

**AN AMENDATORY ORDINANCE REGULATING THE SALE OF UNHEALTHY FOODS BY STORES AND AMBULANT VENDORS IN SCHOOL VICINITIES IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR.**

Be it ordained by the Sangguniang Bayan of Dumingag, Zamboanga del Sur, in session assembled that:

**Section 1. TITLE.**

This ordinance is entitled, "A Regulatory Ordinance prohibiting the sale of unhealthy food by stores and ambulant vendors in school vicinities in the Municipality of Dumingag."

**Section 2. PURPOSE.**

This ordinance is enacted as means to safeguard the health, being of paramount importance, and welfare of pupils and students such that:

- Schools and their vicinities promote health development thrust of the town especially for the children and the child and care youth.
- The decreased proximity and frequency of access to unhealthy food and items during school season is minimized.

**Section 3. DEFINITION OF TERMS.**

The following terms are defined according to their use in this ordinance:

3.1 **Ambulant Vendors.** Persons who go from place to place to sell their goods. Vendors of this type prepare their food at home and sell them to students during the day. Most often than not, vendors of this category do not/ have not undergone seminar/ training on sanitary food preparation and handling.

3.2 **Carcinogenic.** Cancer-causing characteristics.

- 3.3 **Expiry or expiration date.** The date stated on the label of food after which they are not expected to retain their claimed safety and after which it is no longer permissible to sell them.
- 3.4 **Foodstuffs.** Substance suitable for consumption as food.
- 3.5 **Junk foods.** Term of food containing high levels of calories from sugar and fat but low in nutritional content.
- 3.6 **Personal Hygiene.** Refers to the practices performed by an individual to care for one's bodily health and well-being, through cleanliness.
- 3.7 **Preservatives.** Refers to substance or chemical that is added to products such as but not limited to food and beverages to prevent decomposition by microbial growth.
- 3.8 **Questionable foodstuffs.** Foodstuffs that may not be fit for human consumption.
- 3.9 **Unhealthy Foods.** Refers to foods that are perceived to have little or no nutritional value.

#### **Section 4. REGULATORY PROVISIONS.**

The following are the regulatory measures designed to carry out this ordinance:

- 4.1 Storeowners, 100 meters from school perimeter, are prohibited to sell unhealthy foods/junk foods, products contain added preservatives, snacks and soft drinks/soda to pupils/students;
- 4.2 Storeowners and ambulant vendors shall observe the following:
- Not to sell his/her foodstuffs unless he/she presents business and sanitary permits from proper authorities.
  - Not to use synthetic sugar in sweetening food and beverages.
  - Not to sell foodstuffs without covers and must provide clean glasses/cups/plates of liquid food and beverages. Spoons and forks must be put in boiling water before using.
  - Provide garbage can for proper disposal of waste.
  - Segregate their garbage into biodegradable and non-biodegradable.
- 4.3 Ambulant Vendors must:
- Observe personal hygiene.
  - Clean the area before leaving.
  - Submit to the guard on duty or to any designated school personnel for inspection of foodstuffs intended for sale to the pupils and students.

**Section 5. CREATION OF REGULATING FOOD INSPECTION COMMITTEE AND ITS FUNCTIONS.** The Committee shall be created and organized whose composition shall be the following:

**Chairman:** Municipal Health Officer (MHO)

**Members:**

- Municipal Treasurer (MT)
- Business Permit Licensing Officer (BPLO),
- Municipal Sanitary Inspector (MSI)



- District Principal/Teacher-in-charge
- Organic Agriculture Action Man
- Liga ng mga Barangay President (LnB)
- Municipal Task Force
- Local Chief of Police

#### 5.1 Functions:

- The committee shall be responsible for the inspection of stores and ambulant vendors within school vicinities;
- Conduct ocular random inspection to stores and ambulant vendors within school vicinities; and
- Refer list of stores and ambulant vendors within school vicinities (with or without Business Permit) to the Office of the Municipal Mayor thru Municipal Treasurer's Office for proper action.

#### Section 6. IMPLEMENTING AGENCY.

The provisions of this Ordinance and its implementing rules and regulations shall be enforced by the Office of the Municipal Mayor through Municipal Health Unit, the Department of Education, the Philippine National Police, the Barangay Officials and PTCA President.

#### Section 7. PENAL PROVISIONS.

Any business establishment owner who shall violate, disobey, refuse, omit or neglect to comply with any of the regulatory provisions promulgated under this ordinance shall be guilty of a misdemeanor and upon conviction shall be meted with the following penalties:

|                               |                                                                                                                                                                                                                 |
|-------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Offense                 | P 1,000.00                                                                                                                                                                                                      |
| Second Offense                | P 2,000.00                                                                                                                                                                                                      |
| Third and Succeeding Offenses | P2,500.00 and cancellation of the business and sanitary permits and ban of selling around town/barangays until another food handlers' seminar, sanitary and business permits shall have been issued to him/her. |

A stern written warning made by the Municipal Mayor thru Municipal Health Office is given to the owner/operator/manager/administrator upon random visitation of the committee before 1<sup>st</sup> offense is imposed.

#### Section 8. SEPARABILITY CLAUSE.

If any portion of this ordinance is declared invalid or unconstitutional, other portions thereof not affected by such declaration shall remain in full force and effect.

#### Section 9. REPEALING CLAUSE.

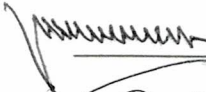
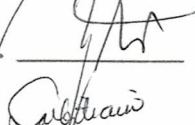
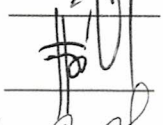
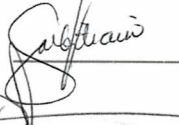
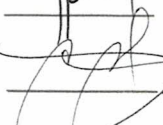
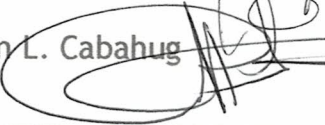
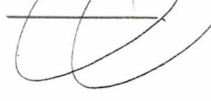
Any portion of an ordinance order or memorandum of local effect inconsistent with the provision/s of this ordinance is hereby repealed or modified accordingly.

**Section 10. EFFECTIVITY CLAUSE.**

This ordinance shall take effect after the approval of the Sangguniang Panlalawigan and after fifteen (15) days from the date, a copy hereof is posted in the bulletin board at the entrance of the Municipal Hall and in at least two (2) other conspicuous places in the Poblacion.

Date Enacted: August 6, 2019

**SANGGUNIAN BAYAN MEMBERS:**

|                             |                                                                                    |                                 |                                                                                      |
|-----------------------------|------------------------------------------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------------|
| Hon. Julius G. Jamero       |   | Hon. Lars Christian C. Tangalin |   |
| Hon. Irish J. Mandao        |   | Hon. Tracy E. Morpos            |   |
| Hon. Paquito P. Duerme, Jr. |   | Hon. Nilo B. Ledesma            |   |
| Hon. Jenny T. Arbitrario    |   | Hon. Francis Joeray T. Gumban   |   |
| Hon. Jerson L. Cabahug      |  | Hon. Leonel C. Dinawanao        |  |

ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED

APPROVED: August 23, 2019

  
**MYDELL G. PACALIOGA**  
Presiding Officer/Municipal Vice Mayor

  
**JOAN P. ABEJUELA**  
Municipal Mayor

  
**JESSYL B. PALON**  
Secretary to the Sanggunian

Not valid without Sanggunian seal