

**[ DOH IMPLEMENTING RULES AND REGULATIONS  
OF CHAPTER III "FOOD ESTABLISHMENTS" OF  
THE CODE ON SANITATION OF THE PHILIPPINES  
(P.D. 856), December 29, 1995 ]**

To carry out the provisions of Chapter III — "Food Establishments", these rules and regulations are hereby formulated for implementation and strict compliance of all concerned.

*SECTION 1. Scope.* — These implementing rules and regulations shall apply to all food establishments and facilities including those located in vessels, food containers and vehicles, and food sold in the streets.

*SECTION 2. Definition Of Terms.* — As used in these rules and regulations, the terms below shall be defined as follows:

**a. APPLIANCE** — includes the whole or part of any utensil, machinery, instrument, apparatus, or article used or intended for use in or for making, keeping/storing, preparing or supplying of any food.

**b. ADULTERATED FOOD** — food that contains any poisonous or deleterious substances in a quantity which may render it injurious to health, or has been processed, prepared, packed or held under insanitary conditions, where valuable nutrients have been in part in whole omitted thereof.

**c. BAKERY, BAKEHOUSE, CAKE KITCHEN OR SHOP AND SIMILAR ESTABLISHMENTS** — any premises in which breads, pastries, cakes, savorys, or other bakers smallgoods are baked or cooked for sale and any portion of such premises used for storage of yeast, flour or other ingredients, or used for the kneading or working with dough.

**d. CATERER** — any person, firm or corporation maintaining or operating a kitchen or any similar establishment for the preparation, purveying, cooking or processing of food or drink for sale or hired to serve to persons elsewhere.

**e. CONTAMINATION** — the presence of infectious or non-infectious agent in an inanimate article or substance.

**f. DAIRIES** — establishments for the production, sale or distribution of milk or milk products such as butter or cheese.

**g. FOOD** — any raw, cooked or processed edible substances, beverages or ingredient used or intended for use or for sale in whole or in part for human consumption.

**h. FOOD ESTABLISHMENT** — an establishment where food or drinks are

manufactured, processed, stored, sold or served, including those that are located in vessels.

**i. FOOD CART** — a non-enclosed, movable food stand, with or without wheels, selling take-out foods and/or drinks such as bread, pastries, cakes, bottled or canned drinks or in mechanical dispensers, and usually located in the fast food areas of malls, atriums, shopping complex or multi-purpose establishments.

**j. FOOD ESTABLISHMENT OPERATOR** — any person who by ownership or contract agreement is responsible for the management of one or more food establishments.

**k. FOOD STALL** — a permanently constructed food booth with partition walls, dividers or equivalent, with food showcases and food displays, counters, with or without kitchen, selling cooked meals or snack foods and usually found in fastfood areas of multi-purpose establishments. They are sometimes referred to as self-service restaurants.

**l. FOOD HANDLER** — any person who handles, stores, prepares, serves food, drinks or ice or who comes in contact with any eating or cooking utensils and food vending machines.

**m. GROCERY** — where staple food articles commonly called "groceries" are handled and sold.

**n. HEALTH CERTIFICATE** — a certification in writing, using the prescribed form, and issued by the municipal or city health officer to a person after passing the required physical and medical examinations and immunizations.

**o. HEALTH OFFICER** — Provincial, City or Municipal Health Officer.

**p. LOCAL HEALTH AUTHORITY (LHA)** — an official or employee responsible for the application of a prescribed health measure in a local political subdivision. For the provincial level, the local health authority is the Governor and the Mayor for a city or municipality as the case maybe.

**q. MISBRANDING** — indicates all possible conditions of fraud, mislabeling, imitation or misrepresentation of food products.

**r. RESTAURANT** — coffee shops, canteens, panciteria, bistro, carinderia, fast food, refreshment parlors, cafeteria, snack bars, cocktail lounge, bars, disco, night club, food kitchens caterer's premises and all other eating or drinking establishments in which food or drink is prepared for sale elsewhere or as part of a service of a hospital, hotel, motel, boarding house, institution caring for people and other similar establishments.

**s. READILY PERISHABLE FOOD** — any food of such type or in such condition as may spoil and which consists in whole or in part of meat, poultry, fish, shellfish, milk or milk products, eggs or other ingredients capable of supporting the progressive growth of micro-organisms which can cause food infection or food intoxication. This does not include products in hermetically sealed containers processed by heat to prevent spoilage, and dehydrated, dried or powdered products

so low in moisture content as to produce development of micro-organisms.

**t. SANITATION INSPECTOR** — an officer employed by the national, provincial, city or municipal government, who enforces sanitary rules, laws and regulations and implements environmental sanitation activities.

**u. SANITARY ENGINEER** — a person duly registered with the Board of Examiners for Sanitary Engineers (RA 1364) and who heads the sanitation division or section or unit of the provincial/city/municipal health office or employed with the Department of Health or its regional field health units.

**v. SANITARY PERMIT** — the certification in writing of the city or municipal health officer or sanitary engineer that the establishment complies with the existing minimum sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decrees No. 522 and 856 and local ordinances.

**w. SANITIZE** — an effective bactericidal treatment to render surfaces of utensils and equipment free of pathogenic microorganisms.

**x. SARI-SARI STORE** — a convenient store where a variety of food and food materials and other household merchandise are sold in small scale.

**y. SECRETARY** — the Secretary of Health.

**z. SINGLE SERVICE ARTICLES** — straws, cups, toothpick, chopsticks, containers, lids or closures, plates, knives, forks, spoons, stirrers, paddles, placemats, napkins, doilies, wrapping and packaging materials and all other similar articles which are made wholly or in part from paper, paperboard, molded pulp, foil, wood, synthetic and other readily destructible materials which are intended to be discarded after use.

**aa. UTENSILS AND EQUIPMENT** — any kitchenware, tableware, glassware, cutlery, containers, stoves, sinks, dishwashing machines, tables, meatblocks and other equipment used in the storage, preparation, distribution or serving of food.

**bb. VERMIN.** — a group of insects or small animals such as flies, mosquitoes, cockroaches, lice, bedbugs, mice and rats which are vectors of diseases.

### *SECTION 3. Sanitation Requirements For Operating A Food Establishment. —*

#### **a. SANITARY PERMIT**

1. No person or entity shall operate a food establishment for public patronage without securing a Sanitary Permit.

2. Application or renewal of Sanitary Permit

2.1 The application or renewal of Sanitary Permit shall be filed with the city or municipality health office having jurisdiction over the establishment utilizing EHS Form No. 110. For inter-island and coastline vessels, the application shall be filed in the city or municipal health office of the vessels' port of origin or head port.

2.2 Sanitary Permit shall be issued only upon compliance to at least a satisfactory rating utilizing the Sanitary Inspection of Food Establishment Form (EHS Form No. 103-A) and existing sanitation standards for food establishments.

3. Fees shall be paid upon application, renewal and noting of sanitary permits. The amount of fees shall be set through city or municipal ordinance.

4. Noting of Permit — Within 14 days after any change in the ownership or occupancy of any food establishment, the new occupant shall apply to the city or municipal health office to have such change noted in the records and permit certificate which he shall produce for the purpose and shall pay the corresponding fee in respect of such noting.

5. The permit shall be valid for one (1) year, ending on the last day of December of each year, and shall be renewed every year. However, for new food establishments, the validity of the Sanitary Permit will also expire at the end of December of the current year. Upon the recommendation of the local health officer, the Sanitary Permit shall be suspended or revoked by the local health authority upon violation of any sanitation rules and regulations.

6. The Sanitary Permit shall be posted in a conspicuous place of the establishment and shall be available for inspection by health and other regulatory personnel.

7. Record of Permit Certificates

7.1 Every city or municipality shall keep a record of all establishments in respect of which permits have been issued and all permit certificates and renewal thereof.

7.2 The record shall in every case show the following.

i. The name and address of the holder of the sanitary permit who in every case shall be the actual occupier of the establishment;

ii. The location of the establishment;

iii. The purpose or purposes for which the permit has been issued;

iv. The date the first permit was issued and the dates of any renewal thereof;

v. Every change of occupation and management of an establishment since the first permit was issued;

vi. Conditions under which the permit was issued or any renewal thereof granted; and

7.3 The record shall be available at all reasonable times for inspection by any officer of the Department of Health or local health office-local government unit.

**b. HEALTH CERTIFICATES AND FOOD HANDLERS**

1. No person shall be employed in any food establishment without a health certificate issued by the city/municipal health officer. This certificate shall be issued only after the required physical and medical examinations and immunizations. Briefings shall be provided by the local health office prior to the issuance of the health certificate to the recipient.

2. The health certificate (EHS Form No. 102-A, B, C) shall be clipped in the upper left front portion of the garment of the employee while working.

3. The health certificate shall be renewed at least every year or as often as required by local ordinance.

4. Health certificates are non-transferrable.

5. Requirements regarding food handlers:

5.1 Food handlers shall observe good personal hygiene and practices such as:

5.1.1 Wearing clean working garments and hair restraint.

5.1.2 Washing hands, arms and fingernails before working. Such washing must be repeated during working hours and after smoking, visiting the toilet, coughing or sneezing into hands, or as often as may be necessary to remove dirt and contaminants.

5.1.3 Using, chewing or smoking tobacco in any form while engaged in food preparation or service, or while in the equipment and utensils washing or food preparation areas is not allowed.

5.2 No person shall be allowed to work in food handling and preparation while afflicted with a communicable disease or a carrier of such disease, which includes boils or infected wounds, colds or respiratory infection, diarrhea or gastrointestinal upsets, and other related illnesses.

5.3 The manager or person-in-charge of the establishment shall notify the health officer or the company physician if any, when any employee is known to have a notifiable disease.

**c. QUALITY AND PROTECTION OF FOOD**

1. All foods must be obtained from sources approved by the local health authority. In this regard, the following requirements are applicable:

1.1 All meats shall come from duly licensed slaughterhouses inspected and approved by the veterinarian or the regulatory authority. Processing of meat products shall be done as per existing regulation and in an approved manner.