

[BFD OFFICE ORDER NO. 8-A s.1993, February 10, 1993]

PRESCRIBING PROCEDURES FOR THE SPEEDY DISPOSITION OF ADMINISTRATIVE CASES IN BFAD

Pursuant to Executive Order 26 vis-a-vis Book V of the Revised Administrative Code and Article 163 of the Consumer's Act or RA 7394, BFAD hereby provides for the rules of procedure in the conduct of administrative investigation.

1. Cases for administrative investigation shall be initiated upon a sworn complaint or a report of violation by a Food and Drug Regulation Officer (FDRO) of the BFAD duly accompanied by a record of inspection.

2. Except for complaints regarding a product contaminated with visible foreign matter, administrative investigation motu proprio involving adulterated product shall only be commenced upon a "confirmatory report of analysis."

This confirmatory report of analysis shall refer to a second report of analysis on another set of samples of the same product.

3. The complaint shall clearly state the facts showing the acts complained of, the party against whom the complaint is filed and the administrative relief sought.

4. The Report of Violation shall clearly state the acts or omissions in violation of the law, rules and regulation, the party or person who committed the violation, shall be accompanied by the record of inspection and the report of analysis with respect to adulterated and misbranded/mislabeled products.

The record of inspection shall indicate:

- 1) the time and date of inspection;
the BFAD license number of the establishment inspected, if any, and the
- 2) validity of such License to Operate;
the name and place or exact address of the establishment and the
- 3) person who committed the violation;
- 4) the manner of the collection of samples, if any;
the inventory of the product from where the sample is taken and the
- 5) report of analysis, whenever relevant;
- 6) the findings of inspection; and
- 7) other relevant facts.