



Republic of the Philippines
PROVINCE OF NUEVA ECIJA
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE 41ST REGULAR SESSION OF THE SANGGUNIANG
PANLALAWIGAN OF NUEVA ECIJA HELD VIA ZOOM, VIRTUAL ONLINE SESSION, ON

OCTOBER 21, 2021

PRESENT:

VG EMMANUEL ANTONIO M. UMALI	- Presiding Officer
BM RAFAEL ANDREW R. VILLANUEVA	- Member
BM EMARY JOY D. PASCUAL	- Member
BM NAPOLEON P. INTERIOR, JR.	- Member
BM EDUARDO JOSE B. JOSON, VII	- Member
BM TERESITA A. PATIAG	- Member
BM ERIC DANIEL F. SALAZAR	- Member
BM ESMERALDO B. ABALOS	- Member
BM ROSELLER T. DE GUZMAN	- Member
BM JOSEPH R. ORTIZ	- Member
BM BELINDA E. PALILIO	- Member (President-PCL)
BM ARIEL L. MATIAS	- Member (President-LnB)
BM MARY SWEET LIBERTY N. CRUZ	- Member (President-SK Federation)
BM EMMANUEL B. DOMINGO	- Member (IPM Representative)

ABSENT:

BM JO-MARIO ANGELO E. MATIAS	- Member
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ORDINANCE NO. 48-s-2021

AN ORDINANCE PRESCRIBING THE TRUTHFUL LABELING OF RICE SACKS, BOXES AND PRICE TAGS, PROVIDING FOR A MONITORING MECHANISM OF RICE LABELING PRACTICES OF RICE RETAILERS AND WHOLESALERS IN THE PROVINCE NUEVA ECIJA AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

Sponsored by: BOARD MEMBER RAFAEL ANDREW R. VILLANUEVA

WHEREAS, pursuant to Section 9, Article XVI of the 1987 Constitution, the State shall protect consumers from trade malpractices and from substandard or hazardous products;

WHEREAS, Section 60 of Republic Act No. 8435, otherwise known as the "Agriculture and Fisheries Modernization Act of 1997" provides that all sectors involved in the production, processing, distribution, and marketing of food and non-food agricultural and fisheries products shall adhere to, and implement the use of product standards in order to ensure consumer safety and promote the competitiveness of agriculture and fisheries products;

WHEREAS, Section 9 of Republic Act No. 10611 or the “Food Safety Act of 2013” states that standards shall be established on the basis of science, risk analysis, scientific advice from expert body/bodies, standards of other countries, existing Philippine National Standards (PNS) and the standards of the Codex Alimentarius Commission (Codex), where these exist and are applicable;

WHEREAS, a Philippine National Standard on Grains Grading and Classification of Paddy and Milled Rice providing prescribed packaging, labeling, and price tags of rice was developed by the Bureau of Agriculture and Fisheries Standards (BAFS) as per the National Food Authority’s (NFA) request, and was approved by the Secretary of the Department of Agriculture (DA) in 2019;

WHEREAS, Section 5 of Republic Act No. 11203 transferred the food safety regulatory function of the NFA to the Bureau of Plant Industry (BPI), which ensures food safety through issuance of sanitary and phytosanitary import clearance (SPSIC) for rice;

WHEREAS, PhilRice studies show that Philippine rice has the least amount of pesticide applied compared with rice produced in other Southeast Asian countries, and that major irrigated areas in the country are safe from heavy metals except those deposited with mine wastes that increase metal levels in the soil;

WHEREAS, the PhilRice Policy Research and Advocacy Project encourages the proper and truthful labeling of rice, for consumers to differentiate locally-produced rice from imported to strengthen Filipino rice farmers;

WHEREAS, PhilRice believes that the demand for local rice may spur when more consumers are able to spot local rice and choose to buy it over imported ones, which will encourage rice traders to source their supply from local farmers;

WHEREAS, recognizing the lack of rice retailers’ and wholesalers’ compliance to the national grains standards brought by the absence of an authority that enforces it, and in response to one of the policy recommendations during the 2019 National Rice Industry Stakeholders Conference (NRISC), the Provincial Government of Nueva Ecija advocates to enforce the prescribed labeling of rice sacks, boxes and price tags to ensure truthfulness, promote safe and quality rice, and protect consumers from deceptive, unfair, and unconscionable sales acts or practices as guided by Article 50 of Republic Act No. 7394 or the “Consumer Act of the Philippines”;

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG PANLALAWIGAN, IN SESSION DULY ASSEMBLED THAT:

Section 1. Short Title. This ordinance shall be known as the “**The Nueva Ecija Truthful Labeling Ordinance of 2021**”.

Section 2. Declaration of Policy. To foster transparent and fair trade, it is hereby declared the policy of the Provincial Government of Nueva Ecija to require rice retailers to indicate valid, reliable, and complete information about the milling classification, price, and source of rice on rice sacks, box labels, and price tags

following the labeling and price tag guidelines in the Philippine National Standard on Grains Grading and Classification of Paddy and Milled Rice, and the NFA Memorandum Circular AO-2018-10-002 or the General Guidelines on the Suggested Retail Price (SRP) for Milled Rice and Prescribed Labeling of Rice Sacks, Boxes and Price Tags to ensure food safety for consumers and to empower the consumers to choose between imported and locally produced rice.

Section 3. Definition of Terms. As used herein, the following terms and phrases shall have the following meaning:

- a. *“Classification”* refers to the classification of rice as to regular, well-milled, premium, special etc;
- b. *“Consumer”* refers to a person who purchases goods such as rice and other commodities;
- c. *“Grade”* refers to designation indicating the degree of quality of paddy or milled rice;
- d. *“Honesty seal”* refers to the award given to rice retailers who fully complied with the truthful labeling ordinance;
- e. *“Iron Fortified Rice”* refers to milled rice to which fortificant kernels (rice kernel coated or extruded with iron) are added to enhance its nutritive value;
- f. *“Milled Rice”* refers to “white rice” or polished rice where kernels are obtained after removal of hull and bran;
- g. *“Paddy”* refers to “rough rice” or un-milled rice; palay;
- h. *“Price Tags”* refers to labels usually plastered on a piece of wood which can be found on rice boxes that shows the prices of the rice for sale;
- i. *“Retailer”* refers to a person engaged in the business of selling consumer products such as rice and other commodities;
- j. *“Rice”* refers to the starchy seeds of a Southeast Asian cereal grass (*Oryza sativa*) that are cooked and used for food;
- k. *“Sacks”* refers to a large bag made of a strong material such as burlap or plastic, used for storing rice.
- l. *“Truthful Labeling”* refers to the honest and proper labeling of rice for sale which includes the price per kilogram, classification and other details prescribed by this ordinance;
- m. *“Wholesaler”* refers to a person engaged in the business of supplying rice for sale to retailers;



Section 4. Proper Labeling of Retailed Rice and Rice Sacks.

Retailed unpacked rice shall be labeled with the use of a Price Tag based in accordance with the standard requirements set forth by The Philippine National Standard (PNS) for Grains – Grading and classification, to wit:

PARTICULARS	STANDARD REQUIREMENTS
A. Size of Price Tag (length by width)	21.5 cm x 16.5 cm
B. Color of Price Tag	
- Premium Grade Rice	Light Yellow
- Well Milled Rice (Grade Nos. 1, 2, 3, 4 or 5)	White
- Regular Milled Rice (Grade Nos. 1, 2, 3, 4 or 5)	White
C. Color of Print on Price Tag	Black
D. Prescribed Information	Price per kilogram (P/Kg) Classification Iron-Fortified Rice Grade

“Premium Grade Rice” is the highest grade of rice based on the prescribed national standards; *“Well Milled Rice”* are rice kernels from which the hull, the germ, the outer bran layers and the greater part of the inner bran layers have been removed, but parts of the lengthwise streaks of the bran layers remain in less than 20% of the kernels; *“Regular Milled Rice”* are rice kernel from which the hull, the germ, the outer bran layers and the greater part of the inner bran layers have been removed but parts of the lengthwise streaks of the bran layers remain in 20 % to 40 % of the kernels.

Unpacked milled rice for retail must be displayed in rice boxes painted with food grade white paint which shall be free of posters/advertisements. The white painted wooden rice boxes should be covered to ensure that the rice will not be exposed to pests and other contaminants that may cause harm to the consumers. The prescribed color coded price tags shall be conspicuously displayed on the grains box.

The required information shall be printed in bold letter and figures (except the unit symbol “kg” for the unit name “kilogram/s”) on the color-coded price tag.

Rice sacks shall only be labeled as follows: Regular, Well-milled, Premium and Special.

The Prescribed Colors of Rice Sacks are as follows: ORDINARY RICE VARIETIES – White Sack; PREMIUM VARIETY – Light Yellow; SPECIAL VARIETY – Sky Blue.

The *Sinandomeng, Super Angelica, Yummy Rice, Mindoro Dinurado, and Double Diamond*, and other rice labels are restricted.

Section 5. Creation of a Local Task Force (LTF). To ensure sustained compliance to the guidelines on prescribed labeling of rice sacks, boxes, and price tags, a local task force shall be formed.

Section 5.1.a. Composition of the Provincial LTF. The Provincial LTF shall be composed of the following:

- a. Provincial Governor – Chairman
- b. Provincial Director, Department of Trade and Industry – Co-Chairman
- c. Provincial Manager, National Food Authority – Co-Chairman
- d. Chairman of the Committee on Agriculture and Cooperatives, Sangguniang Panlalawigan – Member
- e. Chairman of the Committee on Trade, Commerce and Industry, Sangguniang Panlalawigan – Member
- f. Provincial Agriculturist
- g. Co-Chair, Provincial Food Council - Member
- h. City and Municipal Mayors – Member
- i. Provincial Director, Philippine National Police – Member
- j. Deputized Compliance Officers – Members (number depends on the discretion of the Task Force)

Section 5.1.b. Functions of the Provincial LTF. The Provincial LTF shall have the following functions:

- a. The Local Task Force shall set the general guidelines in the implementation of this ordinance.
- b. The Local Task Force shall ensure that the task force of all the cities and municipalities in the province are properly and religiously discharging their functions.
- c. The Local Task Force shall convene regularly to update and assess the implementation of this Ordinance. Members from government sectors may designate their representatives to the task force.

Section 5.2.a. Creation of City and Municipal LTF. All City and Municipal Mayors are hereby mandated to create and convene similar task forces in their respective areas of jurisdiction, with the following minimal composition:

- a. City/Municipal Mayor – Chairman
- b. Chairman of the Committee on Agriculture and Cooperatives (or any equivalent), Sangguniang Panlungsod/Bayan – Member
- c. Chairman of the Committee on Trade, Commerce and Industry (or any equivalent), Sangguniang Panlungsod/Bayan – Member
- d. City/Municipal Agriculturist
- e. City/Municipal Business Permit and Licensing Officer (or any equivalent) – Member
- f. Chief of Police – Member
- g. Select employees who shall be deputized as Compliance Officers (the number of which depends on the discretion of the Task Force)

Section 5.2.b. Functions of the City and Municipal LTF. The City/Municipal LTF shall have the following functions:

- a. The City/Municipal Task Force shall promote, regularly monitor, and regulate rice box labeling and price tag practices of rice retailers;
- b. The City/Municipal Task Force shall inspect rice sold by rice retailers to validate their claims in rice box labels and/or price tags. The City/Municipal Task Force shall penalize violators as mandated by this Ordinance;
- c. The City/Municipal Task Force shall record and maintain documentary evidence/s against violators of this Ordinance;
- d. The City/Municipal Task Force shall endorse compliant rice retailers to the LTF for awarding of an 'Honesty Seal';
- e. The City/Municipal Task Force shall issue clearances to rice retailers for issuance of business permits.

A Deputized Compliance Officer, not fulfilling or abusing the powers and functions provided in this Ordinance shall be immediately relieved of duty while a formal investigation is being conducted. If proven guilty, further legal and administrative complaints may be lodged against him/her. The abuse of power and functions includes, but is not limited to:

- a. Acceptance of bribes from violators of this Ordinance;
- b. False accusation of compliant rice retailers;
- c. Unreasonable restriction on the release of clearances to rice retailers;
- d. Manipulation of documentary evidence.

Section 6. Training of the Local Task Forces. Local Task Forces will be trained by the staff of the National Food Authority (NFA) and Philippine Rice Research Institute (PhilRice) to equip them with the knowledge to identify the different classification and varieties of rice and to effectively implement the proper labeling of rice sacks, boxes and price tags.

To this end, a Memorandum of Understanding/Agreement (MOU/MOA) will be entered into by and between the Provincial, City and Municipal Task Forces and the NFA and PhilRice.

Section 7. Policy Guidelines. To ensure proper implementation of this Ordinance, the following must be observed accordingly:

- a. Human rights and human dignity of violators shall be upheld by the policy enforcers and/or compliance officers;
- b. Local task force officials must have proper identification during monitoring of rice retailers;
- c. The apprehending local task force official must secure photos of the violators' store and other relevant materials with date when the photo was taken indicated as documentary evidence;

- d. A resident or any concerned person shall have the right to report the violator of this Ordinance provided that a documentary evidence is presented;
- e. A resident or any concerned person shall have the right to report a member of the local task force in an event of an abuse of power and function provided in this Ordinance provided that an evidence is presented;
- f. To ensure conformity and validity of labels in rice boxes, and price tags, the Business Permit and Licensing Office of each city/municipality shall require a clearance issued by the LTF as additional requirement for the issuance of the business permit;
- g. Upon enactment of this Ordinance, implementing offices shall conduct an extensive public information drive for immediate observance of the policy;
- h. This Ordinance shall be posted in every City, Municipal and Barangay Halls in the Province, and in all public markets and supermarkets.

Section 7. Penalties and Fine. Any person violating the provisions of this Ordinance shall upon conviction thereof, be penalized by the local task force accordingly:

First Offense: One Thousand Five Hundred Pesos (P1,500.00) or suspension of business permit until the fine is paid.

Second Offense: Three Thousand Pesos (P3,000.00) and suspension of business permit until the fine is paid.

Third Offense: Five Thousand Pesos (P5,000.00) and revocation of business operations until compliance with the prescribed labeling of rice sacks, boxes and price tags.

Violators of the Ordinance shall be given fifteen (15) days to comply with the guidelines on prescribed labeling of rice sacks, boxes and price tags after their first offense. Failure to do so shall be considered as a second offense and be penalized accordingly from which another seven (7) days shall be given to them to comply. Otherwise, they will be charged with penalties for the third offense.

Section 8. Rewards. Any person and/or establishment strictly following the provisions of this Ordinance shall upon verification thereof, be awarded an 'Honesty Seal' that entitles it to a discount on fees to be selected by the LTF at a rate to be determined based on the equitable capacity of the local government of Nueva Ecija. To be awarded an 'Honesty Seal', the person must:

- a. Have been consistently following all the standard specifications on the labeling of rice boxes and price tags for not less than six (6) months;
- b. Have complete business documents (e.g. business license, DTI registration, etc.);



- c. Recommendation letter to the Provincial LTF signed by the City/Municipal Mayor;

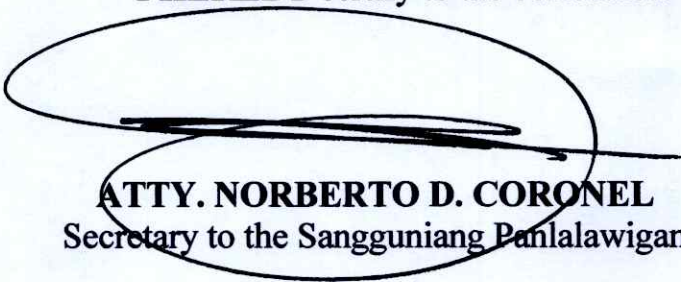
Section 10. Separability Clause. If any portion of this Ordinance is declared invalid or unconstitutional, the remaining parts thereof which are not otherwise affected shall continue to be in full force and effect.

Section 11. Repealing Clause. All ordinances, resolutions, local executive issuances, and/or administrative rules and regulations inconsistent with this Ordinance are hereby repealed or modified accordingly.

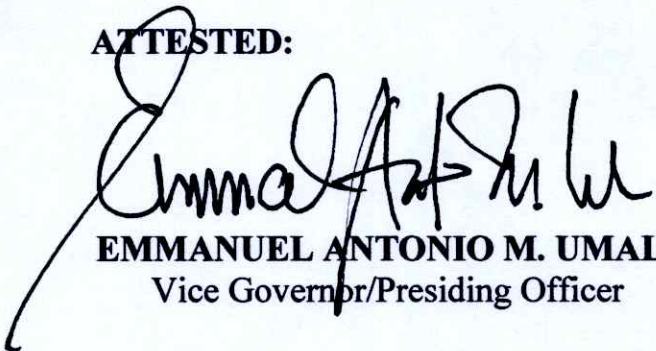
Section 12. Effectivity Clause. This Ordinance shall take effect fifteen (15) days after it has been published in a local newspaper of general circulation.

APPROVED, October 21, 2021.

I HEREBY certify to the correctness of the foregoing ordinance.


ATTY. NORBERTO D. CORONEL
Secretary to the Sangguniang Panlalawigan

ATTESTED:


EMMANUEL ANTONIO M. UMALI
Vice Governor/Presiding Officer

APPROVED:


AURELIO M. UMALI
Governor

OCT 26 2021
Date