



Republic of the Philippines
Quezon City
OFFICE OF THE MAYOR

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EXECUTIVE ORDER NO. 01
Series of 2020

**CONTAINING AFRICAN SWINE FEVER (ASF)
AMONG RETAILERS, GROCERIES AND SUPERMARKETS**

WHEREAS, African Swine Fever, a disease deadly for pigs, has begun to devastate the local swine industry, including in Quezon City. According to current scientific understanding, the disease poses no direct threat to humans. However, considering that pork is a staple part of the diet of many Filipinos, the disease endangers the economy and food security by striking at an important industry and food source;

WHEREAS, ASF also poses an indirect threat to humans because ASF-tainted meat could be from pigs killed by the disease, and therefore such meat could be putrefied (colloquially, "double dead" meat). Also, pigs suffering from the disease could have developed secondary infections, which could be harmful to humans;

WHEREAS, the ASF virus may survive even in frozen meat, and as confirmed by Bureau of Animal Industry (BAI) tests, ASF has been detected in meat stocked in some Quezon City supermarkets;

WHEREAS, while previous containment efforts focused on hog farms and dealers, the above-mentioned reports mean that the City must expand its efforts to cover not just the level of the producers, but also the level of retailers, particularly supermarkets, independent meat shops and groceries;

WHEREAS, Section 16 of the Local Government Code empowers the City to promote and protect health and safety, a balanced ecology, and economic prosperity;

WHEREAS, Section 16 of the Sanitation Code provides that all food must be obtained from sources approved by the local health authority. Further, Sec. 31 and 33 of the same law provides that the City must periodically inspect every food establishment and take samples as often as necessary to determine if any food is unwholesome, adulterated, or contaminated. Also, the City may condemn and destroy any such food;

WHEREAS, Section 14 of the Food Safety Act provides that (a) food business operators must adopt good practices appropriate to their position in the supply chain; (b) if an operator has reason to believe that a food is not safe, it must withdraw the food and inform the regulatory authority; (c) operators must allow inspection of their businesses and collaborate with the regulatory authorities on actions taken; and (d) where the unsafe food may have reached the consumer, the operator must recall the same from the market.

WHEREAS, Sec. 15 (c) of the Food Safety Act provides that local government units (LGUs) shall be responsible for food safety in food businesses, including supermarkets; and Sec. 37 of the same law prohibits the sale of banned foods, and food not in conformity with food quality or safety standards;

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WHEREAS, while the foregoing laws empower the City to crack down on recalcitrant businesses, the City recognizes the extraordinarily persistent and tenacious nature of this disease, which has resisted the efforts of even advanced countries to eradicate it. Hence, the City seeks to avoid a harshly punitive approach that may give otherwise honest establishments an incentive to cover up any cases that come to light;

WHEREAS, the City wishes to promote self-regulation by the retailers, voluntary cooperation and good faith compliance, so that the public and private sector can together combat the spread of ASF as collaborative partners;

NOW, THEREFORE, I, MA. JOSEFINA G. BELMONTE, Mayor of Quezon City, by virtue of the powers vested in me by law, do hereby order as follows:

SECTION 1. Retailer Policies.

1. **Definition.** "Pork" as used in this Order shall include all forms of meat or processed food derived from pigs, whether cooked or uncooked, including but not limited to carcasses, choice cuts, chilled/frozen processed pork, canned goods (luncheon meat, pork meat loaf, corned pork, *litson paksiw*, pork's legs and the like), pork rinds, pork floss, and pork jerky.
2. **In-Store Action Plan.** All pork retailers, including supermarkets, independent meat shops and groceries (collectively, "Retailers"), must prepare and implement an in-store quality control action plan to detect and dispose of any infected or unsafe meat, and to sanitize the concerned area. Retailers must submit their action plan to the City Veterinary Department ("CVD") at such times as the CVD may direct, or revise the same as the CVD may require.
3. **Supervision.** Any disposal and sanitation of ASF-infected meat must be under the supervision of the CVD in coordination with the Joint Inspection Team mentioned below.
4. **Staff Training.** Retailers shall coordinate with the CVD to ensure that staff involved in processing meat (including but not limited to supervisors, meat handlers, custodians, butchers, meat sellers, supply officers, quality inspectors) receive training on the appropriate sanitary and quality control practices. CVD may conduct such training or accredit third parties to do so, as the CVD may determine. The training shall include recognizing possible signs of meat that is diseased, infected, putrefied, contaminated, or is otherwise unsafe, whether due to ASF or other reasons. Further, retailers should regularly brief store personnel in general so that they will be observant about meat products and call the attention of supervisors regarding dubious meat even after the same has passed through quality control.
5. **Suppliers.** Retailers shall accept pork only from suppliers or producers with the appropriate approvals or certifications from the National Meat Inspection Service (NMIS) of the Department of Agriculture or from the Food and Drugs Administration (FDA).

6. **Voluntary Inspection.** Retailers are encouraged to coordinate with the CVD to establish a schedule of regular voluntary inspections of their pork inventory. The City shall hold inspection results in strict confidence, unless the Mayor reasonably determines that the protection of public safety requires otherwise.
7. **Costs.** A Retailer found to have held ASF-contaminated meat must cover all costs (including but not limited to labor costs) for disposal and disinfection of the infected meat and its storage unit.
8. **Good Faith.** Mere possession of infected or unsafe meat shall not be penalized provided that the Retailer concerned acted in good faith. Good faith shall be reasonably determined by the City based on the following: (i) previous diligent and faithful compliance with this Order, including implementing the above-mentioned quality control plan; (ii) prompt reporting to the CVD upon detection of any infected or unsafe meat; (iii) cooperation and immediate access provided to City inspectors; and (iv) any relevant consideration in the reasonable discretion of the City.
9. **Bad Faith.** The City reserves the right to impose the appropriate sanctions, including the filing of criminal cases and the closure of establishments, on Retailers that acted in bad faith. Bad faith includes without limitation, delaying or preventing full access of City inspectors, failing to prepare or implement an action plan, or failing to cover the cost of disposal and disinfection.
10. **Micro and Small Retailers.** In the enforcement of this Order, the City may extend assistance to micro and small retailers giving due consideration to economic hardship or practical feasibility.

SECTION 2. Joint Inspection Team. A Joint Inspection Team (JIT) is hereby created, composed of the following Departments and Offices:

1. City Veterinary Department (CVD)
2. City Health Department (CHD)
3. Business Permit and Licensing Department (BPLD)
4. Public Affairs and Information Services Department (PAISD)
5. Task Force Solid Waste Collection, Cleaning and Disposal Service Management (Task Force Solid Waste); and
6. Sustainable Development Projects Office.

The CVD shall be the lead Department of the JIT, and the Head of the CVD shall act as its Chairperson.

The Head of each member Department may designate any number of Action Officers or representatives to the JIT.



SECTION 3. Functions, Duties and Responsibilities. The JIT shall have the following functions:

1. Conduct periodic inspections of Retailers with a view to containing the spread of ASF;
2. In case of detection of ASF, monitor and enforce compliance with appropriate containment, disposal and disinfection protocols;
3. Require Retailers to submit action plans as mentioned above, and evaluate the same, requiring revisions when necessary;
4. Develop and implement ASF inspection and containment protocols;
5. Consult with Retailers with a view to developing relevant best practices and standards; and
6. Perform any other relevant tasks as the Mayor may direct.

SECTION 4. Joint Inspection Team Protocol. The JIT shall conduct its activities under the following protocols:

1. Inspection

- a. CVD shall act as the point of first contact or first responder;
- b. CVD shall supervise the periodic random inspection of Retailers by the JIT, including supermarkets, groceries, markets and other meat outlets.
- c. Inspectors must wear proper ID and uniform, and act under the authority of a detailed mission order.
- d. If a Retailer suspects, or ought to reasonably suspect, ASF infection of a product, the Retailer must promptly notify the CVD. In this case, the CVD will notify the JIT, which shall then take samples of the suspected product for testing.

2. Detection

- a. If ASF is detected, the Retailer concerned shall coordinate with the CVD and/or JIT to schedule the monitoring of the disposal of contaminated meat.
- b. Prompt disclosure of suspected ASF contamination, and cooperation with the JIT's disposal protocols, may be taken as evidence of Retailer's good faith.

3. Confiscation and Lock-up

- a. Upon confirmation of contamination, the CVD will lead the confiscation of the meat.



- a. Upon confirmation of contamination, the CVD will lead the confiscation of the meat.
- b. CVD may lock or close the freezer or storage where the contaminated meat was found.

4. Collection, Transport and Final Disposal

- a. JIT shall supervise the monitoring of the hauling and disposal of contaminated meat.

5. Disinfection

- a. The CHD shall supervise the disinfection of the freezer or storage unit where the ASF-infected meat was found.
- b. The freezer or storage unit concerned shall remain closed for three (3) consecutive days, and then once a week for four successive weeks, with a corresponding disinfection process as the CHD may determine. From time to time, the CHD may refine or amend the foregoing disinfection protocols based on current best practices. The CHD shall prepare a monitoring report form for use of both CHD's external supervisor and the Retailer's internal supervisor. The form shall always be made available to CHD for ready evaluation and reference.
- c. CHD or CVD may determine, recommend or enforce other containment, disposal or disinfection protocols based on the most current scientific best practices.

6. Costs

- a. In cases where the JIT, or any member of the JIT, has advanced costs for the disposal and disinfection of contaminated meat or storage areas, the JIT may send the corresponding statement of account to the Retailer concerned, subject to applicable regulations. Failure to settle the statement of account within fifteen (15) days from receipt may be taken as evidence of the Retailer's bad faith.

SECTION 5. Technical Working Group. Each member of the JIT shall nominate its representative to a Technical Working Group, which shall have the following functions:

1. Assist the JIT in the creation of policies and strategies relevant to the City's anti-ASF campaign;
2. Evaluate action plans submitted to the CVD and/or JIT and recommend appropriate actions;
3. Assist in supervision and monitoring of disposal and disinfection of infected meat and storage areas; and
4. Perform such other functions as may be determined by the JIT.

SECTION 6. Secretariat. The CVD shall provide the necessary Secretariat functions for the JIT.

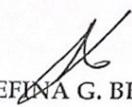
SECTION 8. Repealing Clause. All other orders, rules and regulations or parts thereof, which are inconsistent with the provisions of this Executive Order, are hereby repealed, amended or modified accordingly;

SECTION 9. Separability Clause. The provisions of this Executive Order are hereby declared separable and in the event any of such provisions is declared unconstitutional, the other provisions, which are not affected, thereby shall remain in force and effect.

SECTION 10. Dissemination. Pursuant to Section 455 no. (1) paragraph (vii) of RA 7160 otherwise known as the Local Government Code of 1991, a copy of this Executive Ordinance will be furnished to the Office of the President and the Metro Manila Development Authority (MMDA) for their information and guidance.

SECTION 11. Effectivity. This Order shall take effect immediately.

Issued, 24 January 2020, Quezon City.


MA. JOSEFINA G. BELMONTE
City Mayor