h. SANITARY FACILITIES REQUIREMENTS

The retail water system or refilling station establishment shall provide adequate sanitary facilities including, but not limited to the following:

1. WATER SUPPLY
   a. There shall be adequate supply of water for the operations and maintenance of the establishment and its facilities.
   b. The water source shall be protected from possible contamination that will adversely affect its potability and palatability.
   c. The water supply going to the water purification machines/equipment shall be protected from backflow and backpressure from in-machine water.
   d. Booster, pneumatic, pressure or other pumps shall be prohibited to be connected directly to main water lines when water source is from public water supply system.
   e. The plumbing system, water piping, connections, fittings and hoses conveying water shall be constructed, installed and repaired with in accordance with the National Plumbing Code of the Philippines.
   f. Air Gap, the air gap between the water supply inlet and flood rim of the plumbing fixture, equipment or non-water equipment shall be at least twice the diameter of the water supply inlet or as per the following schedule.
   g. Backflow Prevention Device. The backflow or backsiphonage prevention device installed on a water supply system shall meet the National Plumbing Code of the Philippines standards for construction, Installation, maintenance, inspection and testing for the specific application and type of device.

2. TOILET FACILITIES
   a. Adequate and clean toilet facilities shall be provided for personnel use.
   b. The toilet shall not open directly into spaces where product water is being purified and handled.
   c. The toilet door shall be tight fitting and self-closing.
   d. The toilet room shall be completely enclosed, properly lighted and ventilated.
   e. RWS employing less than five (5) personnel shall provide at least one (1) water closet and one (1) hand-washing lavatory.
   f. Toilet room for women shall be provided with receptacle for sanitary napkins.
   g. Toilet Structural Requirement:
      The approval of the city health officer as recommended by the sanitary inspector shall be required on the following:
      1. Plans of toilet;
      2. Individual sewage disposal system, sub-surface absorption system or other secondary or waste water treatment device;
      3. Minimum space requirement.

3. HAND-WASHING FACILITIES
   a. Wash-hand basins shall be provided and installed in convenient location and as near as practicable to where the person for whose use they are provided.
b. There shall be adequate supply of soap, nailbrush, clean towels or other suitable hand-drying facilities.

c. Hand-washing lavatory shall not be used for purposes other than hand washing.

4. LIQUID WASTE MANAGEMENT

a. Waste water treatment and disposal shall be strictly enforced in accordance with the provisions of the IRR on Chapter XVII, "Sewage Collection and Disposal, Excreta Disposal and Drainage" of the Code on Sanitation of the Philippines, P. D. 856.

5. SOLID WASTE MANAGEMENT

a. Indoor Storage Area and Receptacles. If located within the establishment, storage areas for refuse, recyclables shall comply to the requirements of Sec. 4 - "Sanitary Requirements for the Segregation and Storage of Refuse/Solid Waste" of the IRR of Chapter XVIII, "Refuse Disposal: of the Code on Sanitation of the Philippines, P. D. 856.

b. Outdoor Storage Surface. An outdoor storage surface for refuse recyclables, and returnable shall be constructed of non-absorbent material such as concrete or asphalt and shall be smooth, durable and sloped to drain.

c. Outdoor Enclosure. If used, outdoors enclosure for refuses, recyclable and returnable shall be constructed of durable and easy to clean materials.

d. All waste materials shall be handled in such a manner as to avoid contamination of water.

e. All other pertinent provisions of the IRR of Chapter XVIII - "Refuse Disposal" of the Sanitation Code of the Philippines, P. D. 856 is hereby adopted and made an integral part of these rules and regulations.

6. VERMIN CONTROL

a. A vermin abatement program shall be maintained in the establishment by the operator/owner. The methods and procedures for vermin control shall be in accordance with the implementing rules and regulations of Chapter XVI - "Vermin Control" of the Sanitation Code of the Philippines, P. D. 856.

i. SANITARY PROCESSING AND OPERATION PROCEDURES

1. WATER PURIFICATION PROCESS

a. The water treatment or purification process shall be capable of producing drinking water that is clear, colorless and free from objectionable taste and odor. The product waste shall not contain any substance, organism, chemical or radioactive material at a concentration which should endanger the lives of the consuming public.

b. The design of the water treatment or purification process shall be based on the characteristic of the source water and the availability of appropriate purification technology. The design shall be environmentally sound, ecologically safe and cost-efficient. The water purification process shall include an air filtration to minimize the recontamination of the product water.
c. The product water shall show “No Residual” of any disinfectant used.

2. WASHING AND SANITIZING OF WATER CONTAINERS, CAPS AND DISPENSERS
   a. Containers, caps and dispensers for refilled water provided by the RWS shall be of non-toxic, non-corrosive and food grade quality materials.
   b. Water containers or dispensers for sale or lease from the RWS or refilling stations shall be subject to testing and certification by the Department.
   c. Product water operators shall submit to the city health office the certification by the Department indicating the acceptability of the container.
   d. All water containers and caps provided by the establishment or provided by customers shall be thoroughly washed with water from approved source prior to sanitizing. Warm water with a temperature range of 115°F (46°C) to 120°F (49°C) or a strong alkaline solution with pH 10.5 may be used to aid in the cleaning process.
   e. Sanitizing solution and/or process shall be applied to all water containers and caps after washing. It shall be the responsibility of the RWS or refilling station operator to see to it that washing and sanitizing of containers are conducted before filling it with product water. The sanitizing process may be by means of chemical, dry or moist heat agent or other approved procedures. Chemical sanitization using 60% - 75% available chlorine shall be based on the standard attached ad Annex 1.

3. FILLING AND CAPPING
   a. Before being used, filling equipment (designed to be cleaned in-place) shall be thoroughly cleansed and sanitized in-place.
      1. An alkaline solution of appropriate strength shall be re-circulated through the filler to provide effective cleaning of all product water contact surfaces, with a minimum re-circulation time of 20 minutes at a temperature between 60 °C and 76.67 °C.
      2. The cleansing solution shall be drained and followed with potable water rinse-to-drain for the removal of all residual alkalinity. The step may be supplemented by the application of an acidified rinse prior to the potable water rinse in order to neutralize any residual alkalinity on product contact surfaces.
   b. Immediately following completion of filling operations, the filler shall be thoroughly rinsed internally and externally with potable water.
   c. Parts of the filler that are not designed to be cleaned in-place shall be disassembled and removed. All these parts shall be cleansed and sanitized prior to reassembly using DOH approved cleansing and sanitizing procedure.
   d. All surfaces of the filler that do not come in contact with the water shall be cleaned manually so as to render all surfaces free of residues.
   e. Any other cleaning, rinsing, or sanitization operations or processes not mentioned above shall be subject to the approval of the city health officer.
   f. Filling of containers with water shall be in a manner that it will not come in contact with hands or other surfaces that may contaminate the water.
   g. The rim of the containers with water shall be pointed directly to the water-dispensing nozzle during filling.
h. The container shall be properly and immediately capped after filling. Precautions shall be observed when workers manually cap the container.

i. Sanitary cap or equivalent cap for 5-gallon bulk water container shall be used to prevent the contamination of the neck of the container before placing it to the dispenser.

j. Five-gallon bulk water containers shall preferably be provided with handle or "ears" or a carrying strand attached to the container's groove or in the neck. Bulk water containers shall be carried only with the use of a container’s grabber or handler.

4. STORAGE OF WATER
   a. Storage tank/sump/reservoir design, materials, specification and location shall be reviewed and approved by city health office before its construction/installation.
   b. All water storage facilities shall be cleaned and sanitized at least once a month.
   c. Refilled water shall be stored in dry environment away from chemicals and solvents (e.g. household cleaning products, gasoline, paint thinners) and other toxic materials and contamination.
   d. Refilled water in containers shall preferably be stored in a separate storage room.

5. TRANSPORTING OF REFILLED WATER
   a. All refilled water shall be transported in sanitary transporting facilities inspected and approved by the city health office.
   b. All refilled water containers to be transported shall be properly arranged, crated or boxed and the containers properly capped and protected from contamination. All vehicles shall be kept clean, and no substance capable of contamination the product water shall be transported in such a manner as to permit contamination.
   c. A Sanitary Clearance shall be required for every refilled water delivery vehicle. Sanitary Clearance Fee shall be P 50.00. The clearance shall be posted in all delivery vehicles.
   d. All deliveries of refilled water, in so far as the containers and vehicles are concerned, shall be subject to the inspection and approval of the city health office.

SECTION 19. SANITARY REQUIREMENTS FOR MOBILE WATER TANKS AND BULK WATER FOR DRINKING
   a. SANITARY CLEARANCE

1. A Sanitary Clearance shall be required for all water tankers. Fee for the clearance shall be P 50.00. The Sanitary Clearance shall be posted in each individual water tanker vehicle.

2. All deliveries of bulk water for drinking shall be subject to the inspection and approval of the City Health Office having jurisdiction of the area of origin.

b. MOBILE TANKERS
   Refer to rules and regulation of Chapter II – "Water Supply" of the Code of Sanitation of the Philippines (P.D. 856).
c. BULK WATER FOR DRINKING
Refer to rules and regulations of Chapter II - "Water Supply" of the Code of Sanitation of the Philippines (P.D. 856).

SECTION 20. SANITARY REQUIREMENTS FOR WATER VENDING MACHINES AND DISPENSERS

a. No person shall operate a water vending machine or dispenser for commercial purposes without securing a sanitary permit from the city health office.
b. The city health office may in writing, exempt establishments from securing a separate sanitary permit for the water vending machine or dispenser when the same is located inside a food establishment. The class of vending machine shall be specified in the exemption form.
c. Commercial water vending machines or dispensers located in other establishment (e.g. drug stores, bowling alleys, billiard halls, schools, hotel lobby, cockpit arena, hospitals, theatres, service stations and public places establishments) shall not be exempted from securing sanitary permit.
d. Water vending machines or dispensers shall be registered only in the name of the operator.
e. Operators and employees of vending machines and dispensers shall secure then necessary health certificate.

SECTION 21. REQUIREMENTS FOR PERSONNEL

HEALTH CERTIFICATE

a. No person shall be employed in any water refilling station, delivery vehicles, water tankers and bulk water tankers, and other establishments processing, dispensing or selling water without an up-to-date health certificate issued by the city health officer. The certificate shall be issued only after the required physical and medical examinations and immunizations.
b. The Health Certificate (EHS form 012-A or B) shall be clipped in the upper left front portion of the employee's garment while working. This will include all the personnel and driver of delivery vehicles and mobile tankers and bulk water tankers.
c. The health certificate shall be renewed at least every year or as of the required.
d. Health Certificates are non-transferable.
e. Regulatory fees in the processing of the health certificate shall be Php 25.00.

SECTION 22. INSPECTION AND EVALUATION

a. RESPONSIBLE OFFICER
It shall be the duty of the city health officer to cause the evaluation and inspection of every water refilling station establishment and other similar establishments, facilities or equipment processing, dispensing or selling drinking water at least once every three (3) months and to cause additional inspections and re-inspections and evaluation as deemed necessary for the enforcement of these rules and regulations. Inspection of the establishment shall be conducted within seven (7) days after payment of the inspection fee to the city treasurer.
b. **SANITATION AND INSPECTION FEE**
   The fees payable for every inspection shall be P 50.00.

**SECTION 23. RESPONSIBILITY OF THE OPERATORS OF RETAIL WATER SYSTEM OR REFILLING STATIONS, BULK WATER SUPPLIERS, OPERATORS OF WATER DISPENSER OR VENDING MACHINE.**

The operator shall:

a. Submit the plans, specification and other required documents of private water sources before its construction to the CHO for review and approval.

b. Secure the necessary permits for the establishment, water dispenser or vending machine and transport/delivery vehicles and health certificate from the city health office.

c. Submit periodically the result of the required water samples for laboratory analysis.

d. Secure the Certificate of Potability of Drinking Water at frequencies prescribed in these rules and regulations.

**SECTION 24. RESPONSIBILITY OF MANUFACTURER/SUPPLIER OR WATER PURIFIER.**

The manufacturer/supplier shall:

a. Submit the product particular for review and certification of the CHO before the same will be offered.

b. Submit result of laboratory analysis of treated water passing the water purifier.

**SECTION 25. RESPONSIBILITY OF THE CITY HEALTH OFFICER**

The City Health Office shall:

a. Conduct or cause the conduct of sanitary inspections and evaluation of every refilling stations, water dispensers or vending machines, delivery vehicles and mobile water tankers and validate the water quality of RWS if complying with the standard parameter and values for refilled water.

b. Issue Sanitary Permit to establishments, water dispensers or vending machines and issue Sanitary Clearance to mobile water tankers and delivery vehicles complying with the minimum sanitation requirements.

c. Issue Health Certificates to all personnel, including drivers of delivery vehicles of the establishments.

d. Cause the conduct of sanitary survey for the development of a drinking water supply source and issue drinking water site clearance to applicants.

e. Issue Certificate of Potability of Drinking Water in accordance with these rules and regulations.

f. Validate from the DOH approved water purification apparatus, devices and similar gadgets being sold or peddled to the public.

g. Cause the conduct of Investigations of any claim on advertised product water or water purification equipment, which in his judgement, may be detrimental to public health and safety.

h. Enforce the provisions of these rules and regulations.

**SECTION 26. PENALTY**

Any violation of any provision of Chapter II-A and Chapter II-B shall be penalized with a fine of not less than One Hundred Pesos (Php100.00) but not more than Five Hundred Thousand Pesos (Php500,000.00).
Pesos and an imprisonment of not less than one (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court.

CHAPTER III
FOOD ESTABLISHMENT

SECTION 27. SCOPE
These implementing rules and regulations shall apply to all food establishment and facilities including those located in vessels, food containers and vehicles, and foods sold in the streets.

SECTION 28. DEFINITION OF TERMS
As used in these rules and regulations, the terms below shall be defined as follows:

1. APPLIANCES - includes the whole or part of any utensils, machinery, instrument, apparatus, or article used or intended for use in or for making, keeping/storing, preparing or supplying of any food.

2. 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 or in whole omitted thereof.

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

4. CATERER - any person/firm or corporation maintaining or operating kitchen or any similar establishment for the preparation, purveying, cooking or processing of food or drink for sale or hire, to serve to persons elsewhere.

5. CONTAMINATION - the presence of infectious or non-infectious agent in an inanimate article or substances.

6. DAIRIES - establishments for the production, sale or distribution of milk or milk products such as butter or cheese.

7. FOOD - any raw, cooked or processed edible substances, beverages or ingredients used or intended for use or for sale in whole or in part for human consumption.

8. FOOD ESTABLISHMENT - an establishment where food or drinks are manufactured, processed, stored, sold or served, including those that are located in vessels.

9. FOOD CART - a non-enclosed, movable food stand, with or without wheels, selling take-out foods and/or drinks such a 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.

10. FOOD ESTABLISHMENT OPERATOR - any person who by ownership or contract /agreement is responsible for the management of one or more food establishments.
11. **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 snacks foods and usually found in fast-food areas of multipurpose establishments, they are sometimes referred to as self-service restaurants.

12. **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.

13. **GROCERY** - where staple food articles commonly called "groceries" are handled and sold.

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

15. **HEALTH OFFICER** - City Health Officer.

16. **LOCAL HEALTH AUTHORITY (LHA)** - the City Mayor

17. **MISBRANDING** - indicated all possible conditions of fraud, mislabeling, imitation or misrepresentation of food products.

18. **RESTAURANT** - coffee shops, canteens, panciteria, bistro, carinderia, fast food, refreshment parlors, cafeterias, 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.

19. **READILY PERISHABLE FOOD** - any food or such type or in such conditions 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 or 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 or micro-organisms.

20. **SANITARY INSPECTOR** - an officer employed by the city government, who enforces sanitary rules, laws and regulations and implements environmental sanitation activities.

21. **SANITARY ENGINEER** - a person duly registered with the Board of Examiners for Sanitary Engineers (RA 1364)

22. **SANITARY PERMIT** - the certification in writing of the city health officer 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.

23. **SANITIZE** - an effective bacterial treatment to render surface of utensils and equipment free of pathogenic microorganisms.

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

25. **SECRETARY** - the Secretary of Health

26. **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 material which are intended to discarded after use.

27. UTENSILS AND EQUIPMENT - any kitchenware, tableware, glassware, cutlery, containers, stoves, sinks, dishwashing machines, tables, meat blocks and other equipment used in the storage, preparation, distribution or serving of food.

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

SECTION 29. 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.
   a. The application or renewal of Sanitary Permit shall be filed with the city health office having jurisdiction over the establishment utilizing EHS Form No. 110.
   b. 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. 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 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.

4. 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.

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

6. Record of Permit Certificates
   a. The city shall keep a record all establishments in respect of which permits have been issued and all permit certificated and renewal thereof.
   b. The record shall in every case show the following.
      a. The name and address of the holder of the sanitary permit who in every case shall be the actual occupier of the establishments; the location of the establishment.
      c. 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 CERTIFICATE AND FOOD HANDLERS

1. No person shall be employed in any food establishment without a health certificate issued by the city health officer. This certificate shall be issued only after the required physical and medical examinations and immunizations. Briefings shall be provided by the city 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 certificates shall be renewed at least every year or as often as required.

4. Health certificates are non-transferable.

5. Requirements regarding food handlers:
   - Food handlers shall observed good personal hygiene and practices such as:
     a. Wearing clean working garments and hair restrain
     b. Using chewing gum 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.
     c. 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.

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.
   a. All meats shall come from duly licensed slaughterhouse inspected and approved by the veterinarian or regulatory authority. Processing of meat products shall be done as per existing regulation and in an approved manner.
   b. Fish, shrimps, prawns, shellfish, seaweeds and other sea foods, brackish water foods, surface water foods and food from aquaculture farms or ponds shall not come from sources in any manner polluted by sewage, chemicals, radioactive waste and other toxic substances.
   c. Vegetables and fruits shall come from safe sources where the soil is not contaminated by night sold, sewage and toxic chemicals.
   d. No meat products, fish, vegetables and other food shall be procured from sources or areas known to have been affected by radioactivity as for example; areas contaminated with the large amount of radioactive fallout.
   e. All milk and milk products shall come from approved sources and shall meet the standards and quality established by the regulatory authority.

2. Transporting of Food and Food Materials.
   a. All food and food materials shall be transported in sanitary transporting facilities inspected and approved by the city health officer. In the transport of food, all food shall be in covered containers, wrapped or packad so as to be protected from contamination.
SECTION 31. USE OF FOOD-SERVICE SPACES

a. Food-service spaces shall not be used as living or sleeping quarters.

b. No animals or live fowls shall be allowed in such spaces.

c. Persons not directly connected with food preparation and serving shall not be allowed to stay in food-serving spaces.

d. Foods in storage or in preparation must not be handled by anyone other than the preparation and serving staff.

SECTION 32. FOOD HANDLERS

a. No person shall be employed in any establishment without a health certificate issued by the city health authority.

b. Food handlers shall at all times:
   1. Wear clean working garments. The Cook shall wear prescribed caps and female employees shall wear caps or hairnets.
   2. Observe good personal hygiene.

SECTION 33. VERMIN CONTROL

VERMIN – A group of insects or small animals such as flies, mosquitoes, cockroaches, fleas, lice, bedbugs, mice and rats, which are vectors of diseases.

a. Spaces where food and drinks are stored, prepared and served shall be so constructed and maintained as to exclude vermin.

b. A vermin abatement program shall be maintained in the establishments by their owners, operators, or administrators, if they fail, neglect or refuse to maintain a vermin abatement programs, the local health agency will undertake the work at their expense.

c. Vermin control in public places shall be the responsibility of the city.

SECTION 34. TOILET AND WASHING FACILITIES

a. Adequate and clean toilet facilities for male and female customers and personnel shall be provided in properly located areas.

b. Toilet rooms shall not open directly into spaces where food is prepared, stored or served. Where such toilets exist, the doors shall be tight fitting and self-closing.

c. Adequate hand-washing facilities shall be provided within or adjacent to toilet room.

d. Facilities shall include hot and cold running water, single-service paper or cloth towel dispenser or drying device and soap or detergent.

SECTION 35. SEWAGE DISPOSAL AND DRAINAGE

All sewage discharged from food establishments shall be disposed in a public sewerage systems, or in the absence thereof, in a manner complying with the General Provisions on Waste Disposal of Department of Health Circular No. 220, s. 1974, implementing the provisions of Presidential Decree No. 522; and Chapter XVII of P.D. 856 and its implementing rules and regulations.

A grease trap shall be used and where practicable be placed outside the food establishment.
a. Refuse cans may be used in food-preparation areas for immediate use only.
b. Storage refuse cans, filled and empty shall be in a designated space separate from food-handling operations.
c. These cans shall be so constructed and maintained as to be vermin-proof and easily cleaned.
d. Cans containing refuse shall be tightly covered at all times, except during actual use in food-handling areas.
e. Holding bins may likewise be used, provided they are constructed of impervious, readily cleaned materials, and fitted with tight-fitting covers.

SECTION 36. REFUSE COLLECTION, SEPARATION, STORAGE AND DISPOSAL

a. COLLECTION
There shall be sufficient number of containers to hold all of the garbage and rubbish, which are accumulated between periods of removal from the premises.

b. SEGREGATION/SEPARATION
Refuse shall be separated as follows:
1. 
   Recyclables - these include dry papers/cardboards, plastics/rubbers, glasses, broken bottles, metals and minerals.
2. 
   Trashes - are ashes, rice hulls, chaffs, husks, shells, cobs, papers and cardboards.
3. 
   Food Materials - are food leftovers, kitchen/cooking wastes, food washings, vegetables trimmings, fruit peelings, eggshell, bodes, entrails and gills.

c. STORAGE
1. Refuse receptacles containing food waste shall be stored so as to be inaccessible to vermin. If this is not possible, containers or cans shall be stored in a manner so as not to create potential insect and rodent attractant, harborage and nuisance.
2. Storage refuse cans, filled and empty shall be in a designated space separate from food handling operations.

d. DISPOSAL
1. All garbage, rubbish and other refuse shall be disposed of at least once a day, or at such frequencies through a city or private collection system or by any approved method, and in such a manner as to prevent nuisance.
2. Open burning of refuse shall be discouraged, however, where rubbish or other combustible part of refuse is burned in the premises, an incinerator shall provide and operated in a sanitary manner so as not to create a potential air pollution or nuisance problems. Areas around such incinerators shall be kept clean and in orderly condition.

SECTION 37. EQUIPMENT AND UTENSILS

a. They shall be so designed, fabricated and installed so that cleaning is easy and they do not pose health hazards.
b. Sliding doors on cabinets shall be easily cleanable and removable. Runners shall be allotted at the ends to permit removal of dust and debris. The bottom shelves
b. Readily perishable food and food materials transferred to another town, city, province or region in commercial quantity or intended for public consumption shall be accompanied by a Transfer Permit (EHS Form No. 106) issued by the city health officer.

c. Exporting and importing of food and food materials shall be covered by existing regulations of the Bureau of Food and Drugs and other regulatory agencies.

3. Preparations, Storing and Serving of Food and Drink.

   a. All food while being displayed, stored, prepared, served or sold shall be protected from contamination such as dust, flies, rodents and other vermin.

   b. All meat, fish, shellfish, shrimps, prawn and other sea, brackish water, surface water or aquaculture food products shall be properly washed before being cooked or served.

   c. Fruits, vegetables, seaweeds, etc. for salads should be fresh and free from bruises, dirt and shall be prepared with a minimum hand contact and on surface and with utensils which have been sanitized prior to its usage.

   d. Raw fruits and vegetables shall be thoroughly washed with disinfecting solution if necessary before they are used and cooked.

   e. Tongs, forks, spoons, spatulas, scoops, chopping boards and other suitable utensils shall be provided and used by the employees to reduce hand contact with food to a minimum.

SECTION 30. STRUCTURAL REQUIREMENTS ON THE USE OF FOOD SERVICE SPACES

Food establishments shall be constructed in accordance with the following requirements. All restaurants and other food establishment shall operate only in accordance with the sanitation standard as stipulated in Department of Health Order No. 258-B, s-1991 and this code.

1. Plans of proposed food spaces shall be subjected to the approval of the local health office.

2. No person shall use any room or place for or in connection with the preparation, storage, handling or sale of any article of food:

   a. Which is at any time used or in direct communication with a sleeping apartment or toilet.

   b. In which any animal is kept; or

   c. Which is not used exclusively for the purpose; Provided, That in department stores or multipurpose business establishments, food may be manufactured, prepared, cooked, stored, or sold only in the area set aside exclusively for said purpose; for which a sanitary permit has been issued.

3. No sanitary permit shall be issued for any premises to be used for the preparation, handling and sale of food unless it is constructed in accordance with the following rules and regulation of Chapter III-Food Establishment of this Code.
OFICE OF THE SANGGUNIANG PANLUNGSOD

(Cont. Ord. No. 2017-14, enacted on 23rd day of October, 2017)

Page 34 of 103

of open-based fixtures shall be removable to facilitate inspection, cleaning and maintenance.

SECTION 38. WASHING UTENSILS
a. They shall be scrapped and pre-rinsed to remove food articles.
b. If running water is not used, the wash-water shall be changed frequently.

SECTION 39. BACTERICIDAL TREATMENT
Eating and drinking utensils and equipment, after thoroughly cleaned, shall be subjected to one of the following bactericidal treatments:
a. Immersion for at least half a minute in clean hot water at a temperature of at least 170°F (77°C);
b. Any other method approved by the city health officer.

SECTION 40. HANDLING OF WASHED UTENSILS
a. Washed utensils shall be allowed to drain dry in wire racks without use of drying cloths, or shall be stored in a self-draining position to permit ready air-drying.

SECTION 41. STORAGE OF WASHED UTENSILS
a. They shall be stored in a clean and dry place adequately protected against vermin and other sources of contamination.
b. Cups, bowls, and glasses, shall be inverted for storage.

SECTION 42. DRY STORAGE OF NON-PERISHABLE FOODS
Non-perishable foods shall be stored in the following manner:
a. Designated spaces, lockers, cupboards, racks, shelves and containers shall be used for storage.
b. All spaces, lockers and cupboards shall be constructed of materials, of the same quality as used for food-preparation and food-serving operations. Containers shall be made of metal fitted with tight covers.

SECTION 43. REFRIGERATED STORAGE OF PERISHABLE FOODS
a. They shall be kept at or below 45°F (7°C) except during preparations of when hold for immediate serving after preparation.
b. When such foods are to be stored for extended periods, a temperature of 40°F (4°C) is recommended.
c. Fruits and vegetables shall be stored in cool rooms.
d. Recommended temperature for perishable food storage are:
   1. Frozen foods; not more than 10°F (2°C)
   2. Meat and fish: 32-38°F (0-3°C)
   3. Milk and milk products: 40-45°F (5-7°C)
   4. Fruits and vegetables: 44-50°F (7-10°C)

SECTION 44. FOOD SERVICING OPERATIONS
These operations shall be in accordance with the following requirements:
a. Hand contacts with food or drink shall be avoided; fingers shall not be used to serve butter, ice, or similar items of food. Sugar shall be served in covered dispensers or containers, or in packages wrapped for single service.

b. The surfaces of containers and utensils, including glasses and tableware, which come in contact with food and drink shall not be handled.

c. Clean cloths, napkins, spoons, towels, and other cloth equipment shall be stored in clean places designated specifically for them.

d. Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts shall be kept in running water or in water maintained at 170°F (77°C) and frequently changed, or they may be washed and stored in a dry place after each use.

SECTION 45. EVALUATION OF FOOD ESTABLISHMENT

It shall be the duty of the City Health Officer to cause an inspection and evaluation of every food establishment requiring a permit for its operations, at least every six months and shall cause as many additional inspection and re-inspections and evaluation to be made as are necessary for the enforcement if the provision of this Chapter.

The rules and regulations of Chapter III- Food Establishment of the Code of the Sanitation of the Philippines (P.D. 856) shall form part of this section.

SECTION 46. SPECIAL PROVISIONS

a. Groceries or "Sari-Sari" Stores

1. No person or entity shall operate groceries and sari-sari stores without a Sanitary Permit in accordance with this Code.

2. The employees of groceries and sari-sari stores who handle food or food products shall be required to secure health certificate in accordance with the code.

3. No grocery or sari-sari store shall be established within a distance of 25 meters from any source of contamination.

4. All foods, which require no further cooking before they are eaten, shall be protected from contamination while in counters or showcases.

5. Groceries and sari-sari stores, when required by the health officer, depending on the food and food products stored, shall provide adequate sanitary facilities and maintain sanitary conditions thereat at all times.

b. Bakeries

1. Delivery trucks and carts of bakery products shall always be kept clean and sanitary.

2. No person or entity shall operate a bakery without a sanitary permit.

3. Employees in bakeries, delivery trucks who handles or come in contact with bakery products and materials shall be required to obtain a health certificate.

4. All bakery products prepared in food service establishments or in food processing establishments shall comply with all the sanitation requirements of these rules and regulations.
(Cont. Ord. No. 2017-14, enacted on 23rd day of October, 2017)

- - page 36 of 103 - -

5. No person shall place or display or remove from any bakery, bake house, cake kitchen any bread, cakes, pastries, baker’s small goods or sandwiches and other similar food for sale unless all such foods are adequately protected from rain, dust, flies and other contaminants.

6. No person shall use any crate or container for the carriage or delivery of bread for sale unless the crate or container is so constructed in such a manner as to completely protect the bread from contamination and is capable of being easily cleaned.

c. Dairies

1. No dairy shall keep unhealthy or infected cows, carabao or goats for the production of milk, or feed them unwholesome food, which produces impure or unwholesome milk.

2. No animals used for the production of milk shall be allowed to graze on land, which has been contaminated by radioactivity.

3. No dairy shall sell unwholesome milk that has not been previously pasteurized or otherwise sterilized.

d. Iced Plants

1. No persons or entity shall operate an ice plant without securing a sanitary permit from the city health office.

2. No personnel of an ice plant directly engaged in the preparation, manufacturing, handling and transporting of ice shall be employed without a valid health certificate issued by the local health office in accordance with this code.

3. Only potable water shall be used in the manufacture of ice.

4. In storing and transporting ice intended for public consumption, precautionary measures shall be taken to protect the ice from sources of contamination.

5. The construction and operations of an ice plant shall conform to the standards prescribed by the Department of Health.

6. No establishment of this kind must be constructed 25 meters from sources of contamination.

7. Any establishment that manufactures ice shall be located in a building or structure that protects the ice, equipment, and utensils from dust, dirt, rodents, insects and other contaminating sources.

8. No person afflicted with communicable disease shall work in any area of an ice plant.

9. All employees shall wear clean protective garments and shoes and conform to hygienic practices while on duty.

10. Ice intended for human consumption or to be used in direct contact with food, food equipment or food utensils shall meet the bacteriological, physical and chemical standards of the Philippine National Standards for Drinking Water.

11. Ice contact surfaces, including loading platforms, conveyors and chutes shall be easily cleaned and shall be kept clean and in good condition.

12. Freezing tank covers shall be impervious material to protect ice containers from splash, drip and contamination. The covers shall be equipped with rings
or similar devices, thereby minimizing splintering or covers when hooks are used for pulling.

13. All portable can or tank filters, core suckers, needles, core filters, drop tubes, pipes, tongs, picks and covers shall be maintained in a clean and sanitary condition.

14. Air pipes, and coring or sucking services shall be used as needed to produce a product free of rust or other foreign materials.

15. It shall be the responsibility of the owner, operator or whoever is in-charge or an ice plant to provide the necessary personnel, equipment and supplies for cleaning and maintenance of the establishment and its premises.

16. Garbage or trash shall be temporarily stored in containers with tight covers and collected on time scheduled by the city collection system or by private collection system.

17. All ice blocks shall be thoroughly washed with potable water as they come in contact with delivering platform prior to distribution.

18. Processing and packaging or ice for human consumption shall be accomplished in a sanitary manner.

19. In transporting or delivering ice intended for public consumption, precautionary measures shall be taken to protect the ice from any source of contamination.

20. All vehicles hauling packaged or unpackaged ice shall be thoroughly washed immediately prior to loading of ice.

**e. Ambulant Food Vendors**

1. These vendors shall sell only bottled food drinks, biscuits and confectionaries. It is prohibited for food vendors to sell food that requires the use of utensils.

**SECTION 47.** – The City Sidewalk Vendor ID Card shall be prescribed by the City Treasurer’s Office. For this purpose, the sidewalk vendor’s personal data, especially his name and classification or products he sells, shall be printed in big bold letters approximately one-half inch in height, as follows:

A. His full name and complete address;

B. The place where he is allowed to sell or vend his products;

   The classification of the products he is authorized to sell, such as:

   1. AGRICULTURAL PRODUCTS
   2. COOKED FOODS
   3. DRY GOODS & ARTICLES

C. His bust size recent photo;

D. The prescribed place and time of vending;

E. His signature, the signatures of the City Treasurer and the City Mayor.

F. Ambulant Vendors who sell food requiring the use of disposable plastics such as spoon and forks are not covered by the prohibition.

**SECTION 48.** – The City Treasurer is hereby authorized to issue the City Sidewalk Vendor ID Cards at a nominal cost of P 20.00 each paid directly to his office. The ID Card issued under this ordinance is renewable annually on or before the last working day of February. Instead of issuing a new ID for the succeeding year, a special sticker
with the year and Mayor’s signature shall be posted on the ID of the sidewalk vendor after having himself registered with the Office of the City Treasurer and shall have paid the sticker fee of P10.00.

Provided that after every three (3) years, a new City Sidewalk Vendor ID Card shall be reissued subject to the same cost of P20.00.

The ID Card is non-transferable.

SECTION 49. – Any sidewalk vendor without the required City Sidewalk Vendor ID Card is strictly prohibited from selling or vending in the City of Alaminos. Provided, that sidewalk vendors selling food, cooked or raw, shall secure also a Health Certificate from the City Health Officer for a fee of P20.00, and renewable annually at P10.00 as above provided for vendors;

SECTION 50. – All sidewalk vendors are allowed only to use handy containers for their products for sale, such as “nigo” (winnow), basin, water pail, sacks, small hand carried tables, baskets, bags and the like.
All types of stalls, store-type structure, platforms, and permanent structures of any kind unless they are foldable are hereby prohibited.

SECTION 51. – Any sidewalk vendor using and/or utilizing any stall, store-type structural platform and/or permanent structure of any kind prior to the enactment of this ordinance are hereby given fifteen (15) days from the approval of this ordinance within which to dismantle the same.

If after the prescribed fifteen (15) days period, the sidewalk vendor has not yet dismantled his structure, the City Government thru his authorized representative shall dismantle the same and shall charge the sidewalk vendor concerned for the services rendered thereof.

f. Oyster Beds
1. Oysters shall be planted and grown only in areas approved by the City Health Officer or his duly authorized representatives and in places duly licensed by the Bureau of Fisheries and Aquatic Resources.
2. Oysters offered for sale, if not originating from approved areas, shall be confiscated and destroyed by the local health authority.

7. Fish Marketing Areas
1. Only fresh and wholesome fish products shall be sold.
2. Fish caught in radioactive zones as well as in areas contaminated by toxic substances or high in mercury count as determined by the health authorities shall be condemned and not be allowed for public consumption.
3. The selling, distribution and buying of fish caught through the use of explosives and chemicals are prohibited.

SECTION 52. RESPONSIBILITY OF THE CITY HEALTH OFFICER

The City Health Officer shall:

a. Make periodic inspections to enforce the maintenance of adequate sanitation of food establishments and their premises;

b. Take samples of food and drink from any establishments or vendor as often as necessary to determine if there are unwholesome, adulterated, or contaminated by radioactivity;

c. Prevent the sale or condemn and destroy food and drinks if these are found unfit for human consumption;
d. Seal and prohibit the use of devices, utensils, containers, vehicles, machines, piping and appurtenances if in his opinion they are unsanitary; and  
e. Enforce the provisions of this Ordinance and the rules and regulations promulgated by the Secretary of Health

SECTION 53. PENALTY
Any violation of any provision of Chapter shall be penalized with a fine of not less than One Hundred Pesos (Php100.00) but not more than Five Hundred Pesos and an imprisonment of not less than one (1) month but not more than six (6) months or both fine and imprisonment at the discretion of the court.

CHAPTER IV
MARKETS AND ABATTOIRS

SECTION 54. PRESCRIBED STANDARDS OF CONSTRUCTION - The construction of markets and abattoirs shall conform to standards prescribed by the Department. These standards shall be set along the following guidelines:

a. Suitability of site insofar as elimination of nuisance condition and prevention of contamination are concerned;

b. Availability of ample water supply for cleaning;

c. Accessibility of adequate drainage facilities;

d. Durability of construction to protect vendors and customers from any hazard and exposure to the elements; and

e. Facilities for sanitation maintenance, such as cleaning and elimination of harborage of vermin.

SECTION 55. RESPONSIBILITY OF THE LOCAL HEALTH AUTHORITY (CITY MAYOR)

a. On Markets
   1. Make periodic inspections to ascertain the maintenance of adequate sanitary conditions of markets and their premises;
   2. Supervise and control the proper care and use of market stalls;
   3. Prohibit the construction of living quarters within any market and its premises;
   4. Enforce the ban on construction of partitions, sheds or booths within the market area.

b. On Abattoirs
   1. Supervise the maintenance of adequate sanitation in abattoirs and their premises;
   2. Enforce the requirements on the examination of meat as provided in existing laws;
   3. Permit the slaughter of animals for public consumption in other designated areas in certain exigencies, provided public health is adequately protected;
   4. Supervise the sanitary disposal of all abattoir wastes; and
   5. Ensure that only healthy animals shall be slaughtered, and that the method of slaughtering, the techniques of dressing and the storing, handling and transporting procedures are in accordance with prescribed standards.