

Food and Drug Safety Act of 2009, RPPL 8-13 2010

PALAU

EIGHT OLBIL ERA KELULAU
First Regular Session, January 2009
RPPL No. 8-13
(Passed as: Senate Bill No. 8-9, HD3, PD1)

A BILL FOR AN ACT

To amend Section 1004 of Title 34 of the Palau National Code to empower the Director of the Bureau of Health Services to ban importation and sale of foods or medicines reported to be dangerous for human consumption, and for other related purposes.

THE PEOPLE OF THE REPUBLIC OF PALAU REPRESENTED IN THE OLBIL ERA KELULAU DO ENACT AS FOLLOWS:

Section 1. Short Title. This act shall be cited as the "Food and Drug Safety Act of 2009."

Section 2. Legislative Findings. The Olbiil Era Kelulau finds that the government should have the authority to respond to the problems of extremely poisonous substances, such as melamine, found in certain food and drugs that people throughout the world, including in Palau, consume on a regular basis. This legislation establishes that authority of control over such harmful substances.

Section 3. General Amendment. All references in Title 34 of the Palau National Code to the Bureau of Health Services are hereby amended to reference the Bureau of Public Health.

Section 4. Amendment. 34 PNC § 1004 is hereby amended to read as follows:

"§ 1004. Standards for and inspection of food and non-prescription, over-the-counter drugs.

(a) All food and medicine offered for public sale shall be subject to inspection by duly authorized representatives of the Bureau of Health Services. Food for human consumption which is adjudged by the representative to be unsanitary or of questionable sanitary condition because of contamination, spoilage, animal or insect infestation, adulteration or age shall, as directed by the representative, be destroyed.

(b) Any canned, bottled or packaged foodstuffs labeled pursuant to the laws or regulations of their country of origin are conclusively presumed to be of questionable sanitary condition if the date by which such foodstuffs should be sold or consumed has expired, or if no such date appears on the label, and shall be disposed of by the Director of the Bureau of Health Services at any time in accordance with the provisions of this section.

(c) The Director of the Bureau of Health Services may ban the importation and sale of any canned, bottled, or packaged foods or medicines that have been identified as dangerous for human consumption by the U.S. Food and Drug Administration, the World Health Organization, or other internationally recognized organizations addressing food, drug, and consumer safety.

(d) Any business or establishment offering for public sale any canned, bottled or packaged foodstuffs or medicines not labeled in English or Palauan may sell such items so long as an English or Palauan translation of the item's label has been affixed to the item or is posted and clearly visible in a location proximate to where the item is being displayed for sale.

(e) All non-prescription, over-the-counter medications offered for public sale shall be labeled in English with the following information:

(1) Name of the drug (generic or non-proprietary name);

(2) Active ingredients;

(3) Amount of active ingredients per unit;

(4) Batch or lot code;

(5) Dates of manufacture and expiration;

(6) Directions and dosage; and

(7) Storage directions.

Section 5. Effective date. This Act shall take effect upon its approval by the President of the Republic of Palau, or upon its becoming law without such approval.

PASSED: January 19, 2010

Approved this 5th day of February, 2010.

/s/

Johnson Toribiong

President
Republic of Palau