



DEPARTMENT OF HEALTH

ENVIRONMENTAL HEALTH SERVICE

1995

**IMPLEMENTING RULES AND
REGULATIONS OF CHAPTER III**

FOOD ESTABLISHMENTS

**OF THE CODE ON
SANITATION OF THE PHILIPPINES**

(P.D. 856)

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OF THE PHILIPPINES (P.D. 856)

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**IMPLEMENTING RULES AND REGULATIONS OF CHAPTER III
"FOOD ESTABLISHMENTS" OF THE CODE ON SANITATION
OF THE PHILIPPINES (P.D. 856)**

To carry out the provisions of Chapter III - "Food Establishments", these rules and regulations are hereby formulated for implementation and strict compliance of all concerned.

SECTION 1 : SCOPE

These implementing rules and regulations shall apply to all food establishments and facilities including those located in vessels, food containers and vehicles, and food sold in the streets.

SECTION 2: DEFINITION OF TERMS

As used in these rules and regulations, the terms below shall be defined as follows:

- a. **APPLIANCE** - includes the whole or part of any utensil, machinery, instrument, apparatus, or article used or intended for use in or for making, keeping/storing, preparing or supplying of any food.
- b. **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.
- c. **BAKERY, BAKEHOUSE, CAKE KITCHEN OR SHOP AND SIMILAR ESTABLISHMENTS** - any premises in which breads, pastries, cakes, savories, or other bakers smallgoods are baked or cooked for sale and any portion of such premises used for storage of yeast, flour or other ingredients, or used for the kneading or working with dough.
- d. **CATERER** - any person, firm or corporation maintaining or operating a kitchen or any similar establishment for the preparation, purveying, cooking or processing of food or drink for sale or hired to serve to persons elsewhere.

- e. **CONTAMINATION** - the presence of infectious or non-infectious agent in an inanimate article or substance.
- f. **DAIRIES** - establishments for the production, sale or distribution of milk or milk products such as butter or cheese.
- g. **FOOD** - any raw, cooked or processed edible substances, beverages or ingredient used or intended for use or for sale in whole or in part for human consumption.
- h. **FOOD ESTABLISHMENT** - an establishment where food or drinks are manufactured, processed, stored, sold or served, including those that are located in vessels.
- i. **FOOD CART** - a non-enclosed, movable food stand, with or without wheels, selling take-out foods and/or drinks such as 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.
- j. **FOOD ESTABLISHMENT OPERATOR** - any person who by ownership or contract agreement is responsible for the management of one or more food establishments.
- k. **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 snack foods and usually found in fastfood areas of multi-purpose establishments. They are sometimes referred to as self-service restaurants.
- l. **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.
- m. **GROCERY** - where staple food articles commonly called "groceries" are handled and sold.
- n. **HEALTH CERTIFICATE** - a certification in writing, using the prescribed form, and issued by the municipal or city health officer to a person after passing the required physical and medical examinations and immunizations.

- o. **HEALTH OFFICER** - Provincial, City or Municipal Health Officer.
- p. **LOCAL HEALTH AUTHORITY (LHA)** - and official or employee responsible for the application of a prescribed health measure in a local political subdivision. For the provincial level, the local health authority is the Governor and the Mayor for a city or municipality as the case maybe.
- q. **MISBRANDING** - indicates all possible conditions of fraud, mislabeling, imitation or misrepresentation of food products.
- r. **RESTAURANT** - coffee shops, canteens, panciteria, bistro, carinderia, fast food, refreshment parlors, cafeteria, 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.
- s. **READILY PERISHABLE FOOD** - any food of such type or in such condition 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 of micro-organisms.
- t. **SANITATION INSPECTOR** - an officer employed by the national, provincial, city or municipal government, who enforces sanitary rules, laws and regulations and implements environmental sanitation activities.
- u. **SANITARY ENGINEER** - a person duly registered with the Board of Examiners for Sanitary Engineers (RA 1364) and who heads the sanitation division or section or unit of the provincial/city/municipal health office or employed with the Department of Health or its regional field health units.
- v. **SANITARY PERMIT** - the certification in writing of the city or municipal health officer or sanitary engineer that the establishment

compliance with the existing minimum sanitation requirements as per evaluation or inspection conducted in accordance with Presidential Decrees No. 522 and 856 and local ordinances.

- w. **SANITIZE** - an effective bactericidal treatment to render surfaces of utensils and equipment free of pathogenic microorganisms.
- x. **SARI-SARI STORE** - a convenient store where a variety of food and food materials and other household merchandise are sold in small scale.
- y. **SECRETARY** - the Secretary of Health.
- z. **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 materials which are intended to be discarded after use.
- aa. **UTENSILS AND EQUIPMENT** - any kitchenware, tableware, glassware, cutlery, containers, stoves, sinks, dishwashing machines, tables, meatblocks and other equipment used in the storage, preparation, distribution or serving of food.
- ab. **VERMIN** - a group of insects or small animals such as flies, mosquitoes, cockroaches, lice, bedbugs, mice and rats which are vectors of diseases.

SECTION 3 : 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
 - 2.1 The application or renewal of Sanitary Permit shall be filed with the city or municipality health office having jurisdiction over the establishment utilizing EHS Form No. 110. For inter-island and coastline vessels, the application shall be filed in the city or municipal health office of the vessels' port of origin or head port.

2.2 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. Fees shall be paid upon application, renewal and noting of sanitary permits. The amount of fees shall be set through city or municipal ordinance.
4. 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 or municipal 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.
5. 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.
6. The Sanitary Permit shall be posted in a conspicuous place of the establishment and shall be available for inspection by health and other regulatory personnel.
7. Record of Permit Certificates
 - 7.1 Every city or municipality shall keep a record of all establishments in respect of which permits have been issued and all permit certificates and renewal thereof.
 - 7.2 The record shall in every case show the following.
 - i. The name and address of the holder of the sanitary permit who in every case shall be the actual occupier of the establishment;
 - ii. The location of the establishment;
 - iii. The purpose or purposes for which the permit has been issued;

iv. The date the first permit was issued and the dates of any renewal thereof;

v. Every change of occupation and management of an establishment since the first permit was issued;

vi. Conditions under which the permit was issued or any renewal thereof granted; and

7.3 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 CERTIFICATES AND FOOD HANDLERS

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

4. Health certificates are non-transferrable.

5. Requirements regarding food handlers:

5.1 Food handlers shall observed good personal hygiene and practices such as:

5.1.1 Wearing clean working garments and hair restrain.

5.1.2 Washing hands, arms and fingernails before working. Such washing must be repeated during working hours and after smoking, visiting the toilet, coughing or sneezing into hands, or as often

as may be necessary to remove dirt and contaminants.

5.1.3 Using, chewing 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.

5.2 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.

5.3 The manager or person-in-charge of the establishment shall notify the health officer or the company physician if any, when any employee is known to have a notifiable disease.

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:

1.1 All meats shall come from duly licensed slaughterhouses inspected and approved by the veterinarian or the regulatory authority. Processing of meat products shall be done as per existing regulation and in an approved manner.

1.2 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.

1.3 Vegetables and fruits shall come from safe sources where the soil is not contaminated by night soil, sewage and toxic chemicals.

1.4 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 a large amount of radioactive fallout.

- 1.5 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

- 2.1 All food and food materials shall be transported in sanitary transporting facilities inspected and approved by the local health officer. In the transport of food, all food shall be in covered containers, wrapped or packed, so as to be protected from contamination. All readily perishable foods shall be kept at 7°C (45°F) or below; or 60°C (140°F) or above during transport, as the case maybe.
- 2.2 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 local health officer, where the food and food materials originated. Fees for the issuance of the certificate shall be set through city or municipal ordinance.
- 2.3 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. Preparation, Storing and Serving of Food and Drink

- 3.1 All food while being displayed, stored prepared, served or sold shall be protected from contamination such as dust, flies, rodents and other vermins.
- 3.2 All meats, fish, shellfish, shrimps, prawn and other sea, brackish water, surface water or aquaculture food products shall be properly washed before being cooked or served.
- 3.3 Suitable utensils shall be provided and used to minimize handling of food at all points where food is prepared.

- 3.4 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 surfaces and with utensils which have been sanitized prior to its usage.

- 3.5 Milk shall be stored in a refrigerator. Canned or packaged milk, other than dry milk powders shall be refrigerated after the container has been opened.

- 3.6 All readily perishable foods shall be stored at 7°C (45°F) or below.

- 3.7 Food to be served cold shall be kept at a temperature below 7°C (45°F).

- 3.8 Cooked food intended to be served hot shall be kept at a temperature not lower than 60°C (140°F) and if possible be placed over hot conveyor or food warmer to keep it hot.

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

- 3.10 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.

- 3.11 Cracked/chipped glasses, cups should be discarded.

d. REQUIREMENTS REGARDING THE USED OF FOOD SERVICE SPACES

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:

- 2.1 Which is at anytime used or in direct communication with a sleeping apartment or toilet.

- 2.2 In which any animal is kept. Display of any live animals in the food areas is strictly prohibited. Poultry should be kept in cages separate from the food preparation and serving areas.
- 2.3 Which is or has been used for any purpose which would likely contaminate the food or to affect its wholesomeness or cleanliness. Persons not directly connected with food storage, preparation and serving are not allowed in food service areas.
- 2.4 Which is not exclusively for the purpose; Provided, that in department stores or multi-purpose establishments like shopping malls, etc., food maybe manufactured, prepared, cooked, stored or sold only in the area set exclusively for said purpose and for which a Sanitary Permit has been issued.
- i. Food Stalls
 - Adequate ventilating hood shall be installed in the cooking areas.
 - Hand washing and dishwashing facilities shall be provided.
 - All for sale and in storage shall be maintained hot (not less than 60°C) or cold (not higher than 7°C), as the case maybe.
 - All other requirements of a regular restaurant shall be imposed in the operation of food stalls.
 - Those that are proposed to be operated outside of the fastfood areas are subject to the approval of the local health officer.
 - ii. Food Carts
 - Food carts shall be located preferably inside the fastfood area. Food carts located outside the fastfood area selling bread, pastries, cakes, bottled or canned or packaged food, popcorn

and juice or soft drinks and similar fluid drinks in mechanical dispensers maybe allowed subject to the approval of the local health officer.

- Design and construction materials shall be in accordance with the standard setforth in these implementing rules and regulations.
 - Only approved food grade single-service or disposable articles, containers, wrapping and packaging materials shall be used. Each cart shall have refuse receptacles.
 - Food being sold shall be protected from contaminants by displaying and storing food for sale in showcase cabinets, showcase refrigerators, bread or food warmers, steamer or steam table or cabinets and similar equipments that will maintain the food either cold (not higher than 7°C) or warm (not less than 60°C). It is strictly prohibited to let food stand at room temperature. Heating of food only when ordered and before serving is not a substitute to maintaining them in proper temperature.
 - Personnel will be subjected to the requirement of the health certificate and hygienic practices and habits.
- iii. Restaurants and other Food Establishments
 - All restaurants and other food establishments shall operate only in accordance with the set sanitation standard as stipulated in Department of Health Order No. 258-B, s. 1991.

e. STRUCTURAL REQUIREMENTS

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 requirements:

1. FLOORS

- 1.1 The floor of all rooms in which food or drink is stored prepared or served, or in which utensils are washed, shall be constructed of concrete or other impervious or easily cleaned material that is resistant to wear and corrosion and shall be adequately graded and drained; all angles between the floor and walls shall be rounded off to a height of not less than 7.62 cm. (3 inches) from the floor; or
- 1.2 Constructed of wood with dovetailed or tongue and grooved floor boards laid on a firm foundation and tightly clamped together with all angles between the floor and walls rounded off to a height of 7.62 cm. (3 inches); or
- 1.3 Constructed in accordance with sub-clauses 1.1 and 1.2 of this clause and covered with linoleum, smooth surface rubber or similar material, fixed to the floor with cement or suitable adhesive; Provided, that with the approval in writing of the local health officer, floors may be covered with carpets or other floor covering in those parts of the premises where such carpets or coverings can be satisfactorily cleaned and maintained.
- 1.4 Mats or duckboards, if used, shall be constructed as to facilitate being cleaned and shall be kept clean.
- 1.5 Weighing scale for wet products like meat, fish, vegetables shall be provided at the receiving area and shall always be kept clean.
- 1.6 The walking and driving surfaces of all exterior areas where food is served, such as drive-in-restaurant, sidewalk cafes, patio service, chuckwagon services, barbecues and similar establishments, shall be kept clean and free of debris and shall be properly drained so that water does not accumulate. Such

areas shall be surfaced with concrete, asphalt or similar materials to facilitate cleaning and to minimize dust.

- 1.7 Floor drains shall be provided. Floors which are water flushed for cleaning or which receive discharge of water or other fluid waste from equipment shall be graded to drain.

2. WALLS

- 2.1 The internal surface of walls shall have a smooth, even, non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials;
- 2.2 The walls, where subject to wetting or splashing, shall be constructed of impervious, non-absorbent materials to a height of not less than 2 meters (79 inches) from the floor;
- 2.3 The internal walls shall be painted in light colors or treated with such other wall finish as the health officer prescribes;
- 2.4 Wall covering materials used, such as sheet metal, tile, plastic and other similar materials shall be attached and sealed to the wall or ceiling as to leave no open spaces or cracks which would permit accumulation of grease and debris, or provide harborage for vermin. Use of local decorative materials such as sawali, coconut materials, fish net and other similar materials to manifest native ambiance of the place, shall be allowed only in particular area of the establishment subject to the approval of the local health officer before installation;
- 2.5 Light fixture, decorative materials and other similar equipment and material attached to walls or ceilings shall be kept clean. Flower vases on walls shall be kept clean and the water shall be changed at least once every three days to prevent breeding of mosquitoes.

3. CEILINGS

- 3.1 All ceilings or, if no ceiling is provided, the entire under-surface of the roof shall be dust-proof and washable;

- 3.2 The ceiling or under-surface of the rooms in which food is prepared or packed or in which utensils or hands are washed shall be smooth, non-absorbent and painted light color.

4. LIGHTING

- 4.1 The general standards of illumination provided shall permit effective inspection and cleaning and shall be of sufficient intensity and appropriate to the purpose for which any room or place is used. Illumination shall be supplied by a source of light which is constant, without fluctuation or oscillation except in night clubs and the like, that may cause eye fatigue;
- 4.2 In rooms where food is prepared or packed or in which utensils or hands are washed, there shall be a minimum illumination intensity of 20 foot candles (215.2 lux); in premises where food is consumed, there shall be a minimum illumination intensity of 5-foot candles (53.8 lux). Intensities of illumination shall be measured at a point 76.20 cms. (30 inches) above the floor, the lighting intensity shall be measured by a light meter (foot candle meter or lux meter).
- 4.3 All lighting shall be reasonably free from glare and distributed so as to avoid shadows.
- 4.4 At other areas or working surfaces, the illumination shall be in the following intensity:
- i. 100 foot-candles (1076 lux) - seeing tasks requiring discrimination of fine details under conditions of fair contrast and where the nature of work is very exact and prolonged;
 - ii. 50 foot-candles (538 lux) - seeing tasks requiring discrimination of details over prolonged periods of time and under conditions of moderate contrast;
 - iii. 10 foot-candles (107.6 lux) - casual seeing tasks not involving discrimination of fine details;
 - iv. 5 foot-candles (53.8 lux) - rough seeing tasks not requiring critical seeing;

- 4.5 Supplemental or local lighting shall be added where the tasks require more light than is provided by the general illumination, or where direction of light is indicated in the form of a low place fixture or a "spotlight" type of light.

- 4.6 Lighting fixtures used in areas exposed to extreme temperatures (ovens, freezers, etc.) shall be the type approved by the local health officer.

- 4.7 Use of colored lights or bulbs in the display of food or food materials is strictly prohibited.

5. VENTILATION

- 5.1 Ventilation shall be provided which shall be effective and suitable to maintain comfortable condition. The natural air supply in any workroom shall in no instance be less than 0.005 cubic meter per second per person. In workrooms in which the work is demanding, a ventilation rate of 0.015 cubic meter per second per person is required.

- 5.2 The ventilation shall be adequate to prevent the air from becoming excessively heated, prevent condensation and the formation of excess moisture on walls, ceilings and for the removal of objectionable odors, fumes and impurities.

- 5.3 In the absence of effective natural ventilation, mechanical ventilation with airflow from a clean area, and discharging in such a manner as not to create a nuisance, shall be provided. Toilets shall be provided with mechanical exhaust ventilation by which the air in such rooms is changed not less than six times per hour.

- 5.4 Canopies, air ducts, fans or other appliances shall be provided as required by the health authority in particular circumstances;

- i. The equipment and processes that emit or create harmful fumes, vapors and other impurities in quantities that can injure the health of those exposed or create nuisance to others shall be connected to an exhaust system or otherwise effectively controlled;

... A complete exhaust system shall include an air suction device, hoods, ducts, fan objectors, separators and receptacles and other parts necessary for its proper installation. Inlet velocities shall be regulated per existing standard on industrial hygiene;

iii. All exhaust system shall discharge to the outside atmosphere, provided however that air may be recirculated if it is passed through a suitable cleaning device and is safe and wholesome when reused. The amount of air circulated in workrooms shall not exceed seventy five percent (75%) and in dining rooms shall not exceed fifty percent (50%);

iv. The point of discharge of an exhaust system shall be so located so that the discharge materials shall not re-enter places of employment nor create hazard to the public nor cause any general nuisance;

v. In all workrooms, outside air shall be provided at the rate of 0.008 cubic meter per second per person, or one-half air change per hour whichever is greater;

vi. Air circulated in workrooms shall be supplied through air inlets arranged, located and equipped so that the workers are not subjected to air velocities exceeding 1.02 meter per second. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping into food or into food preparation surfaces. Filters if used, shall be of commercial type grease filters and shall be installed so that they are readily removable for cleaning and replacement. Where air ducts are used, they shall be designed and maintained so as to prevent the entrance of dust, dirt, vermin or other contaminating materials. Effective provision shall be made for securing and maintaining a reasonable temperature. Ideal temperature in all work areas is 26.67°C (80°F).

6. OVERCROWDING

There shall be sufficient floor space to enable every person working thereon to carry out his duties efficiently and to

permit easy access for cleaning. Working spaces, aisles or passageways and areas to which customers have access shall be unobstructed and sufficient to permit movement of employees and customers without contamination of food by clothing or personal contact.

The following guidelines shall be observed to prevent overcrowding of restaurants:

Table 1.

DINING ROOM AREAS		
Number of Persons Using Dining Room	Area/Person	
	Sq. m.	(Sq. ft.)
below 25	1.12	12
25 to 74	1.02	11
75 to 149	0.93	10
150 to 500	0.84	9
more than 500	0.74	8

Table 2.

MINIMUM VOLUME AND SPACE		
Work Rooms/Worker	-	11.33 cu.m (400 cu. ft.) without deduction of benches, machines, etc.
Office Space	-	7.08 cu. m. (250 cu. ft.)
Kitchen Area	-	1/4 of total dining area but not less than 9.30 sq. m. (100 sq. ft.)

7. CHANGEROOMS

There shall be provided adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belongings of employees or persons engaged or employed in the premises. Such facilities shall be so situated and arranged that there is no contamination of food by contact with clothing. Where the number of persons engaged or employed is four

(4) or more of either sex, there shall be provided separate changing rooms for each sex.

Change rooms shall be cleaned daily and disinfected at least once a week.

f. SANITARY FACILITIES REQUIREMENTS

1. WASH-HAND BASINS

1.1 Wash-hand basins shall be installed in convenient places and as near as practicable to where the person for whose use they are provided or in such locations as maybe otherwise prescribe in any particular case.

1.2 If required in writing by the local health officer, an additional wash-hand basin shall be installed as near as practicable to the toilet facilities; provided, that wash-hand basins specified in these rules and regulations need not be installed in premises where only food in sealed container is sold; and provided further, that wash-hand basins specified in this regulation shall be installed under specification of the National Plumbing Code of the Philippines.

1.3 Wash-hand basin maintenance

- i. An adequate supply of soap, nail brush, clean towels, roller towels presenting a clean surface to each user from a continuous roller towel dispenser or other hand drying services approved by health authorities shall be provided.
- ii. The wash-hand basin and all hand washing facilities shall, at all times be maintained in good repair and in clean condition.
- iii. All wash-hand basins shall, at all times, while the premises are being used, be supplied with hot and cold or tempered running water at a minimum temperature of 37.8°C (100°F).

2. TOILET FACILITIES

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

i. They shall be easily accessible to the customers and employees.

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

2.2 Toilets shall not be open directly into spaces where food is prepared, stored or served. Where such toilets exist, the door shall be tight fitting, self closing and opening outward.

2.3 Toilet rooms shall be completely enclosed, properly lighted and ventilated.

2.4 The number of water closets, urinals and wash-hand basins shall be provided in accordance with the following tables:

i. Food Eating and Drinking Establishments

Table 3.

Dining Room Accomodation	Water Closet		Urinal	Wash-hand Basin	
	Female	Male		Female	Male
1 - 49	1	1	1	1	1
50 - 60	2	1	1	1	1
61 - 120	2	2	2	2	2
For every additional 60 persons	1	1	1	1	1
one water closet for disabled person	1	1			

ii. Markets and Supermarkets

Table 4.

Number of person	Water Closet		Urinal Stalls	Wash-hand Basin		Drinking Fountain
	Female	Male		Female	Male	
1 - 49	1	1	-	1	1	-
50 - 100	2	1	1	1	1	1
For each additional 100 persons, one (1) water closet and one (1) urinal for every 100 males; one (1) water closet for every 50 females.						

iii. Food Establishment Personnel

Table 5.

Number of Personnel	Water Closet		Urinal	Wash-hand Basin	
	Female	Male		Female	Male
1 - 29	1	1	-	1	1
30 - 49	2	1	1	2	2
50 - 99	2	2	2	3	3
For every 100 - up, one (1) fixture for each additional 50 personnel; one (1) shower provided for every 15 personnel; one (1) drinking fountain for every 75 personnel					

2.5 Toilet Structural Requirements

- i. Approval of the health authority as recommended by the sanitary engineer of the :

- Plans of toilet
- Individual sewage disposal system, sub-surface absorption system or other treatment device.

- ii. Minimum space requirement:

Unit	Sq. m./Unit	Sq. ft./Unit
Water Closet	1.50	16
Lavatories	1.11	12
Urinals	1.11	12

- iii. Minimum height of ceiling - 2.5 m.

- iv. Lighting - not less than 10 foot-candles (107.6 lux)

- v. Natural Ventilation - window space shall be at least 10% of the floor area of toilet room

- vi. Mechanical ventilation - use of exhaust fans

3. WATER SUPPLY

- 3.1 The water supply shall be adequate and potable whether from a public or from a private water supply system. The quality of water used shall be in accordance with the Philippine National Standards for Drinking Water.

- i. All water sources shall have a Certificate of Potability of Drinking Water issued by local health officer as recommended by the sanitary engineer of the locality.

- ii. A minimum of forty (40) liters per capita per day shall be maintained.

- 3.2 Hot and cold running water, under adequate pressure, shall be provided in all areas where food is prepared, processed or handled and where food equipment and utensils are washed. Water pressure shall be maintained at 1.41 kpscm (20 psi.).

- 3.3 Drinking water if not supplied from a piped water supply system to the food establishment shall be handled, transported, dispensed in a sanitary manner and may be stored in a separate tank, reservoir or container approved by the local health officer.

- 3.4 Bottled and packaged potable drinking water shall be handled, stored and protected from contamination. The bottled drinking water shall come from approved source in accordance with Department of Health Administrative Order No. 18-A, s. 1993 and dispensed from the original container filled by the supplier. It is prohibited to serve the bottled water already poured in drinking glasses of customers.

3.5 Water used for steam process which have contact with food or food contact surfaces shall be free from any materials or additives other than those specified by the Department of Health.

3.6 Ice shall come from ice plants with Sanitary Permit or shall be made from water meeting the requirement of these rules and regulations. Ice making machine shall be located, installed, operated and maintained properly to prevent contamination of the ice.

3.7 Ice shall be handled, transported, stored and dispensed in such a manner as to be protected against contamination. During deliveries, it shall not be placed in the ground or any filthy surfaces without protection. Ice shall be dispensed in measured quantities from an approved ice maker dispensing unit. Adequate and acceptable ice storage and dispensing utensils shall be provided and properly used.

3.8 Handles, chains and other contaminating items shall not come in contact with ice.

4. SEWAGE DISPOSAL AND DRAINAGE

All sewage discharged from food establishments shall be disposed in a public sewerage system, 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.

5. REFUSE COLLECTION, SEPARATION, STORAGE AND DISPOSAL

5.1 Collection

- i. Refuse cans may be used in food preparation areas for immediate use only. All garbage and rubbish

containing food waste shall be kept in containers, constructed of impervious materials which are leak proof and do not absorb liquids.

- ii. All containers shall be provided with tight-fitting lids or covers, so constructed and maintained as to be vermin-proofed and easily cleansed. The containers or cans shall be lined with plastic trash bags to prevent food sticking directly into the containers and to facilitate easy disposal, tightly covered at all times, except during actual use in food preparation areas.

- iii. After being emptied, each container shall be thoroughly cleaned inside and outside with soap and brush. Washing shall be done in a place and manner so as not to contaminate food, equipment, utensils, or food preparation areas. Brushes for washing garbage containers shall be used for no other purposes.

- iv. 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.

5.2 Segregation/Separation

Refuse shall be separated as follows:

- i. Recyclables - these include dry papers/cardboards, plastics/rubbers, glasses, broken bottles, metals and minerals.
- ii. Trashes- are ashes, rice hulls, chaffs, husks, shells, cobs, papers, cardboards.
- iii. Food Materials - are food leftovers, kitchen/cooking wastes, food washings, vegetables trimmings, fruit peelings, egg shells, bones, entrails and gills.

5.3 Storage

- i. 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 a potential insect and rodent attractant, harborage and nuisance.

- ii. Refuse storage room or enclosure maybe constructed and it shall be of easily cleanable, washable materials and vermin proof. The floors and the walls shall be of relatively non-absorbent materials. Refuse containers or cans outside the food establishment shall be stored either on concrete slab at sufficient distance above the ground to facilitate cleaning of the storage area.
- iii. Holding bins may likewise be used, provided they are constructed of impervious, readily-cleaned materials and fitted with tight-fitting cover.
- iv. Storage refuse cans, filled and empty, shall be in a designated space separate from food handling operations.
- v. Where refuse cans are used, a space separate from the food preparation space and adjacent to the refuse-can storage space shall be provided for cleaning. This space shall be equipped with scrubbing brush, cleansing agents, steam or hot water under pressure, and a hose fitted with adjustable nozzle.
- vi. Storage areas shall be maintained clean at all times.

5.4 Disposal

1. All garbage, rubbish and other refuse shall be disposed off at least once a day, or at such frequencies through a municipal or city or private collection system or by any approved method, and in such a manner as to prevent nuisance.
- ii. Open burning of refuse shall be discouraged, however, where rubbish or other combustible part of refuse is burned in the premises, an incinerator shall be provided 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.

8. REQUIREMENTS REGARDING VERMIN CONTROL.

1. Spaces where food and drinks are stored, prepared and served shall be constructed and maintained as to exclude vermin. Plans of food establishments shall be submitted to the local health office for approval before its construction/operation.
2. All opening which connects spaces to the outer air shall be effectively protected with screen of non-corrosive wire or even materials # 16-mesh wire or finer. Doors shall be tight-fitting and self-closing.
3. A vermin abatement program shall be maintained in the establishment by the owners, operators, or administrators. If they fail, neglect or refuse to maintain a vermin abatement program, the local health agency shall undertake the work at their expense.
 - 3.1 All food establishment shall submit an annual vermin abatement plan as a pre-requisite in the issuance/renewal of the Sanitary Permit; or
 - 3.2 A contract from a Department of Health accredited pest control operator.
4. During deratting or disinfecting operations, food preparation and cleaning equipment shall be covered to protect them from toxic chemical substances.
5. Insect and rodent attractants shall be removed or covered. There shall be no poison baits in food processing establishments, food storage and other places in which food is being served.
6. Proper housekeeping and clean-up of surroundings shall be maintained at all times.
7. Vermin control in public places shall be the responsibility of the provincial, city, or municipal governments which have jurisdiction over them.

- 3.4 Exposure in an open or hot air cabinet at a temperature of at least 82°C (180°F) for at least 20 minutes;
- 3.5 Immersion in water with iodine solution (12.5 ppm) for one minute.
- 3.6 Any other method approved by the local health authority.
- 4. Handling of Washed Utensils
 - 4.1 Washed utensils shall be allowed to drain dry in wire rack without use of drying cloths, or shall be stored in a self-draining position to permit ready air-drying;
 - 4.2 The drying cloth on which to store dishes and utensils temporarily after bactericidal treatment shall be cleaned and changed frequently;
 - 4.3 Food contact surfaces of cleaned and sanitized equipment and utensils shall be handled in such a manner as to be protected from contamination. Cleaned spoons, knives and forks shall be picked up and touched only by their handles. Clean cups, glasses and bowls shall be handled so that fingers and thumbs do not touch the inside surface or lip contact surfaces.
- 5. Storage of Washed Utensils
 - 5.1 Washed utensils shall be stored in a clean and dry place adequately protected against vermin and other sources of contamination;
 - 5.2 Cups, bowls, and glasses, shall be inverted for storage;
 - 5.3 Cleaned and sanitized portable equipments and utensils shall be stored 46 cms. (18 inches) above the floor in a clean, dry location and suitable space and facilities provided for such storage so that food contact surfaces are protected from splash, dust and other contaminants;
 - 5.4 Utensils shall be air dried before being stored or shall be stored in a self-draining position on suitably located rack and suitably constructed shelves;

- 5.5 Containers and utensils shall be stored in properly constructed cabinets or otherwise properly protected from contamination;
- 5.6 When not stored in closed cupboards or lockers, utensils and containers shall be covered or inverted whenever practicable. Utensils shall not be stored in the bottom shelves of open cabinets below the working top levels.
- 5.7 Facilities for the storage of silverware shall be provided and shall be designed and maintained in order to prevent them from being contaminated by the employee or customer.
- 5.8 Racks, trays and shelves shall be made of materials that are impervious, corrosion-resistant, non-toxic, smooth, durable and resistant to chipping.
- 5.9 Drawers shall be made of the same materials and kept clean. Felt-lined drawers are not acceptable, but the use of clean and removable towels for lining drawers is acceptable.
- 5.10 Swabbing

Use one (1) swab for each group of four or more similar utensils. Take the swab from a freshly opened container of dilution water or dip a sterile swab, if separate, in such dilution water, and squeeze it against the inside of the container so as to remove excess water, leaving the swab moist but not wet. Rub the swab slowly and firmly three times over the significant surfaces of four or more similar utensils, reversing the direction each time. After swabbing each utensil, return the swab to the container of dilution water, rotate the swab to the container of dilution water, press out the excess water against the inside of the container before swabbing the next of the four or more utensils in the group. The significant surfaces of utensils consist of the upper half-inch of the inner and outer surfaces of bowls and spoons. If it is desired to examine forks and surfaces of the dishes, etc., the area to be swabbed shall include the entire inner and outer

8. The procedure and frequency of vermin abatement program shall be determined and approved by the local health authority.

h. REQUIREMENTS REGARDING EQUIPMENT AND UTENSILS

1. Construction, Design and Maintenance

- 1.1 Equipment and utensils shall be so designed, fabricated and installed so that cleaning is easy and that they do not pose health hazards.
- 1.2 Lead-soldered containers and cadmium-lined piping and fixtures shall not be used.
- 1.3 Surfaces that come in contact with food or drinks shall be made of materials that are impervious, corrosion-resistant, non-toxic, easily cleanable, durable and resistant to chipping.
- 1.4 Adequate number of utensils and equipment shall be provided in proportion to the expected number of customers.
- 1.5 A three-compartment sink shall be provided and used for manual washing and sanitizing of equipment and utensils. At least a two-compartment sink shall be provided and used for washing kitchenware and equipment which do not require sanitizing and for washing vegetables.
- 1.6 Sinks used for manual washing and sanitizing shall be of adequate length, width and depth to permit the complete immersion of the utensils and equipment. Dish baskets shall be of such design as to permit complete immersion of the utensils and equipment being sanitized therein.
- 1.7 All utensils, equipment and vegetable sinks shall be constructed of smooth, easily cleaned, non-corrosive

materials, suitably reinforced, of such thickness and design as to resist denting and buckling, and free from open seams.

- 1.8 Appliances, glasswares, tablewares, utensils and equipments with noticeable cracks and seams shall not be used in food establishment.

- 1.9 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 or open-based fixtures shall be removable to facilitate inspection, cleansing and maintenance.

2. Washing of Utensils

- 2.1 Utensils shall be scrapped with all food particles into trash bags before washing.
- 2.2 Utensils shall be thoroughly cleansed in warm water at 49°C (120°F) with soap or detergent.
- 2.3 If running water is not used, the wash-water shall be changed frequently.

3. Bactericidal Treatment (Sanitizing)

Eating and drinking utensils and equipment, after thoroughly cleaned, shall be subjected to one of the following bactericidal treatments:

- 3.1 Immersion for at least half a minute in a clean hot water at a temperature of at least 77°C (170°F);
- 3.2 Immersion for at least one minute in a lukewarm water containing 50-100 ppm chlorine solution;
- 3.3 Exposure in a steam cabinet at a temperature of at least 77°C (170°F) for at least 15 minutes or at a temperature of 93°C (200°F) for at least 5 minutes;

surfaces of the tines of forks, the inner surfaces of plates and bowls. On plates, swab three times reversing the direction of each stroke completely across each of the two diameter at right angles to each other. On bowls, swab three times reversing the direction of each stroke around the inner surface of the bowl about halfway between the bottom of the bowl and the rim.

When swabbing equipment, remove swab from the tube of buffered solution and press out excess liquid on the inside wall of solution container and rub cotton portion of swab slowly and thoroughly over approximately 51.64 sq. cm. (8 sq. in.) of equipment surface. Rub slowly and firmly in a path of 1.27 cm. (0.5 in.) width and 40.65 cm. (16 in.) in length. Rub swab in reverse direction, and repeat initial stroke. Return swab to original container of buffered solution, rotate the swab in diluent and press out excess liquid. Using the same applicator, swab four times other 51.64 sq. cm. (8 sq. in.) areas of the same pieces of equipment, rewetting swab and pressing out excess liquid before swabbing successive areas.

i. DRY STORAGE OF NON-PERISHABLE FOODS

Non-perishable foods shall be stored in the following manner:

1. Designated spaces, lockers, cupboards, racks, shelves and containers shall be used for storage;
2. 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 or equivalent material fitted with tight covers;
3. The recommended temperature range for dry storage is 10-15°C (50-60°F) except where dry foods for immediate use are stored in the preparation and servicing spaces;
4. Food or food materials shall be stored separately from chemicals and disinfectants so as to avoid contamination;
5. Food storage rooms shall be insect and vermin proof;

6. Wet and dry food and food materials shall be stored separately; and
7. Food must be stored at least 20 cms. (8 in.) above the floor to facilitate cleaning of the storage area.

j. REFRIGERATED STORAGE OF PERISHABLE FOODS

Perishable foods shall be stored in the following manner:

1. They shall be kept at or below 7°C (45°F) except during preparation or when held for immediate servicing after preparation;
2. When such foods are to be stored for extended periods, a temperature of 4°C (40°F) is recommended;
3. Fruits and vegetables shall be stored in cool rooms;
4. Recommended temperatures for perishable food storage are:
 - 4.1 Frozen foods: not more than -12°C (10°F)
 - 4.2 Meat and Fish: 0-3°C (32-38°F)
 - 4.3 Milk and Milk Products: 5-7°C (40-45°F)
 - 4.4 Fruits and Vegetables: 7-10°C (44-50°F)
 - 4.5 All refrigerating compartments and refrigerators shall be kept clean, in good repair and free from odors. They shall be provided with thermometers with scale divisions not larger than 1°C or 2°F, as the case maybe. Sufficient shelving shall be provided to prevent stocking and to permit adequate ventilation and cleaning.

k. FOOD SERVICING OPERATIONS

Food serving operations shall be in accordance with the following requirements:

1. Where unwrapped food is placed on display in all types of food service operation, including buffets, and cafeterias, it

other sources by providing effective, easily cleanable, counter protective devices, sneeze and cough guards, cabinet, display cases, show cases, containers or other similar type of protective equipment. Self-service openings in counter guards shall be so designed and arranged as to protect food from manual contact by consumers. Open display of food in fast foods, carinderias and similar establishment, regardless if the food will be reheated or cooked, is strictly prohibited;

2. Leftover and/or unsold food that has been subjected to possible contamination shall not be resold or re-served or re-used for human consumption;
3. Juice, slush-ice and other bulk food beverages shall be dispensed by an approved bulk dispenser;
4. Hand contacts with food or drink, etc. shall be avoided; fingers shall not be used to served butter, ice or similar items of food. Sugar shall be served in covered dispensers or containers, or in packages wrapped for single service;
5. The surfaces of containers and utensils, including glasses and tablewares, which come in contact with food or drink shall not be handled;
6. Disposable cups, plates, spoons and other single-service containers and utensils shall be purchased in sanitary cartons and stored in a clean, dry place until their use. These articles shall be so handled or removed from the carton that the hand does not touch the surface which will be in contact with food or drink;
7. Clean clothes, napkins, spoons, towels and other cloth equipment shall be stored in clean places designated specifically for them. Soiled linens, including towels, aprons and coats, shall be stored in a closed bin or locker, suitably marked; and
8. Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts shall be kept in running water or in water maintained at 77°C (170°F) and frequently changed, or they maybe washed and stored in a dry place after each use. Constant temperature bottles and other containers used for potable water and other beverages shall be kept clean and

given effective bactericidal treatment before and after subsequent use.

SECTION 4: EVALUATION OF FOOD ESTABLISHMENTS

a. SANITARY INSPECTION

1. RESPONSIBLE OFFICER

It shall be the duty of the Provincial, City, Municipal Health Officer to cause an inspection and evaluation of every food establishment requiring a sanitary permit for its operations, at least every six (6) months and shall cause as many additional inspections and re-inspections and evaluation to be made as are necessary for the enforcement of the provisions of these rules and regulations.

2. SANITATION INSPECTION FEE

The fees payable on every inspection shall be such amount as existing law prescribed and/or as set through City or Municipal ordinances. Inspection of the establishment shall be conducted within seven (7) working days after payment of the inspection fee.

3. MISSION ORDER

3.1 The City or Municipal Health Officer or the Chief of the Sanitation Division or Section or Unit of the local health office, as the case maybe, shall issue a Mission Order (EHS Form No. 112) for every sanitation inspection that will be conducted by the sanitary engineer/sanitation inspector. The inspection shall be based on the frequency of inspection of each category and classification of food establishment and as a follow-up inspection or re-inspection.

3.2 The Mission Order must contain date, mission order number and series, the name of the inspector and the I.D. number, the business names, addresses, categories of establishments to be inspected and the scheduled date of inspections. The immediate supervisor of the inspector shall monitor the enforcement of the Mission Order.

3.3 Sanitary inspection conducted without a Mission Order is prohibited.

3.4 The operators of establishments shall report to the Health Officer or Chief of Sanitation Division/Section/Unit the unauthorized inspections that were executed.

4. AIDS TO INSPECTION

4.1 The sanitation inspector shall carry the following items during inspection:

- i. Sanitary Inspection of Food Establishment Form (EHS Form No. 103-A)
- ii. Clipboard
- iii. Thermometers (hot & cold)
- iv. Flashlight
- v. Metal Measuring Tape
- vi. Camera
- vii. Copies of Sanitation laws, regulations, standards and other reference materials needed in the inspection.
- viii. Field Bag
- ix. Also the following, if available:
 - Light meter
 - Water pressure gauge
 - Blacklight
 - Food & Drink Sampling Kit
 - Epidemiological kit

5. FREQUENCY OF INSPECTIONS

Table 7

FOOD ESTABLISHMENTS	FREQUENCY OF INSPECTION (Minimum Number of Inspection)
Class A	At least once every three months
Class B	At least once every two months
Class C	At least once a month
Markets	At least once a week
Other Food Establishments	At least once every six months

6. RECORDING OF INSPECTION

6.1 During the inspection or evaluation carried out as per frequency of inspection, the sanitary engineer/sanitation inspector shall record his findings on an inspection form (EHS Form No. 103-A) provided for the purpose.

6.2 The sanitary engineer/sanitation inspector shall furnish the original of such report to the holder of the Sanitary Permit, the manager or occupier of the premises.

6.3 Demerits entered in the appropriate column of the inspection form shall indicate that the item does not conform with the requirements of these rules and regulations.

i. The inspection form has twenty (20) items. Non-complying items are indicated with an (X). Every such item is weighted with a demerit of 5. The rating of the establishment is therefore 100 less (number of demerits \times 5). The result is expressed as a percentage (%) rating.

6.4 Sanitation Standard

i. The percentage rating has an equivalent Sanitation Standard as follows:

Table 8

PERCENTAGE RATING	SANITATION STANDARD	COLOR CODE
90 - 100%	Excellent	Luminous Green
70 - 89%	Very Satisfactory	Luminous Yellow
50 - 69%	Satisfactory	Red-Orange

- ii. Food Establishments with percentage rating below 50% shall be recommended for suspension of operation until compliance.
- iii. Sanitation Standard Rating Sticker (SSRS):
 - The SSRS (EHS Form No. 104-A/C) shall be posted in a conspicuous part of the food establishment, preferably at the door, for guidance of the customers.
 - The SSRS shall be renewed every time an inspection was conducted.

7. REPORT OF INSPECTION

- 7.1 The sanitary engineer/sanitation inspector who conducted the inspection shall complete the sanitary inspection report, and whenever an inspection form issued indicates non-compliance to items relating to any particular type of premises, the inspector shall notify the holder of the sanitary permit, the manager or occupier of the correction to be made and indicate a reasonable period for its compliance.
 - i. The Recommended Corrective Measures shall be specific in nature for the easy understanding of the owner or manager or occupier of the food establishment.
 - ii. Reasonable period for compliance or grace period shall be inclusive of Saturdays, Sundays and holidays.
- 7.2 The sanitary engineer/sanitation inspector who conducted the inspection shall likewise prepare a Sanitary Order (EHS Form No. 107) for approval by the city or municipal health officer or chief of the sanitation division or section or unit, as the case maybe.
- 7.3 Within 48 hours of the inspection or evaluation, the original of the inspection report (EHS Form NO. 103-A) and the Sanitary Order shall be furnished and

acknowledged by the holder of the permit certificate, the manager or occupier of food establishment.

- i. The inspection report shall be personally delivered, or
- ii. Mailing of Notice shall be sent through the postal service, registered with return card.

8. RE-INSPECTION

- 8.1 If upon re-inspection after the deadline, the sanitary engineer/sanitation inspector finds that correction has not been effected, he shall report to the health officer and the health officer shall recommend the revocation of the Sanitary Permit.
- 8.2 A copy of the inspection form and any notice served shall, in all cases be filed and kept by the local health office and be available for inspection by authorized officials.

b. SERVICE OF NOTICE

- 1. Whenever an inspection or evaluation form indicates non-complying items, the Health Officer of the city or municipality may cause to be served on the holder of the permit, the manager or occupier a notice (Sanitary Order) requiring him, within the time (grace period) stated in the notice, to take such remedial action as may be specified therein.
- 2. In the event of non compliance with the terms of the first Sanitary Order, the health officer may cause the issuance of a second notice to the holder of the permit, the manager or occupier.

2.1 Second Sanitary Order

- i. If the owner of the establishment needs additional time to comply with the first Sanitary Order, he shall request in writing prior to the expiration of the said Sanitary Order for an extension of the grace period to the city or municipal health authority. The second sanitary order shall then be subject to the approval of the local health authority.

2.2 Second Notice (Notice of Hearing: EHS Form No. 118)

- i. The Second Notice shall contain a call on the holder of the permit, the manager or occupier to show cause, at a time and place stated in the notice, why the permit issued to the food establishment shall not be revoked.

c. REVOCATION OF PERMIT

1. After prior notice and hearing as provided above, the health authority, if satisfied that the terms of the two notices have not been complied with or that failure to comply therewith is not excusable, shall recommend the revocation of the said permit, or;
2. After the second sanitary order on an extended grace period, a re-inspection was conducted and still the owner fails to comply with such order as reported by the sanitation inspector, the health officer shall recommend revocation of the sanitary permit without delay and shall inform other related agencies of the city or municipality of the revocation.
3. Lifting of suspension of permit maybe recommended whenever the owner of the establishment satisfactorily corrects the defects.
4. The establishment owner may file a motion for reconsideration to the health authority if he is not satisfied with the action of the city or municipal health officer.
5. The health authority may file court proceedings against any establishment continuously operating after the revocation of its permit.

d. SUMMARY SUSPENSION OF PERMITS

Whenever the Provincial, municipal or city health officer finds unsanitary or unhealthy conditions in the operation of a food establishment which in his judgement constitute a substantial hazard to the public health, the health officer may recommended the immediate suspension of the sanitary permit. Any person to whom such order is issued may file a

written petition and shall be afforded a hearing within hours.

e. APPEALS

The person or panel conducting the hearing may confirm, modify or reverse the decision appealed from which decision shall be final

f. POWER OF ENTRY

Any sanitation inspector or duly authorized officer of the Department of Health or of the Provincial, Municipal or City Health Offices, upon presentation of proper credentials may at all reasonable times enter into any premises engaged in the manufacture, preparation or packing of any article of food for sale or any premises used for any of the purposes referred to in these rules and regulations for the purpose of inspection or any other action necessary for administration of these rules and regulations.

1. Sanitary inspections shall be conducted by officials in accordance with Section 3, a of these rules and regulations.
2. Sanitary inspections shall be done preferably during the time while the food establishment is in operation.

SECTION 5: SPECIAL PROVISIONS

a. GROCERIES OR "SARI-SARI" STORES

1. Sanitary Permit

No person or entity shall operate groceries and sari-sari stores without a Sanitary Permit in accordance with Sec. 3 (a) of these rules and regulations.

2. Health Certificate

The employees of groceries and sari-sari stores who handle food or food products shall be required to secure a health

certificate in accordance with Sec. 3, (b) of these rules and regulations.

3. Sanitation Requirements

3.1 No grocery or sari-sari store shall be established within a distance of 25 meters from any source of contamination such as garbage dumping site, cesspools, lagoons, poisonous chemical plants, manufacturing plants, sewage treatment plants and the like.

3.2 All food which require no further cooking shall be kept in counters or showcases or other similar devices to protect them from contamination.

3.3 Processed foods such as hotdogs, ham and other readily perishable foods offered for sale in the sari-sari stores shall be refrigerated and maintained in proper temperature (7°C) to prevent food spoilage and contamination. Groceries or sari-sari stores where canteens or bakeries or other categories of food establishments are being operated shall conform to the requirements governing such establishments.

3.4 Bulk storage and packaging room shall comply to the structural requirements of Sec. 3, (e) of these rules and regulations.

3.5 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.

4. Floor Space Requirements

4.1 Groceries shall have a floor area of not less than fifteen (15) square meters, inclusive of toilet and handwashing facilities.

4.2 Sari-sari stores shall have a floor area of not less than eight (8) square meters, inclusive of toilet and handwashing facilities:

D. BAKERIES

1. Sanitary Permit

No person or entity shall operate a bakery without a sanitary permit in accordance with Section 3, (a) of these rules and regulations.

2. Health Certificate

Employees in bakeries, delivery trucks who handle or come in contact with bakery products and materials shall be required to obtain a health certificate in accordance with section 3, (b) of these rules and regulations.

3. Sanitation Requirements

3.1 Food Material Source

i. Baking materials such as flour, baking powder, cream, etc. shall be obtained from safe and approved sources.

ii. 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.

3.2 Store Rooms/Cabinets/Compartments

i. A separate damp-free room or compartment shall be provided for the storage of flour in bulk, in sacks or multiwall bags.

ii. A separate storeroom or cabinet or compartment shall be provided for butter, margarine, cooking fats, dried fruits, jam, egg powder, milk, flavoring and coloring substances and other articles of food or ingredients used in baking.

iii. No person shall store or keep at the store rooms or cabinets or compartments, any foodstuffs, chemicals and other toxic substances and contaminants.

- iv. The store room shall be insect and rodent-proof, properly lighted and ventilated.

3.3 Preparation

- i. Trays, bins and other appliances if fixed shall be placed and fitted so as to leave no place below or at its sides or at the back which cannot be readily inspected and cleaned.
- ii. Movable appliances shall all be fitted with wheels, coasters, or other suitable fittings to facilitate removal for cleansing purposes.
- iii. No food shall be placed in the ground or in the floor other than a table, pallet, rack or shelf which shall not be less than 20.3 cms. (8 inches) above the ground or floor level.
- iv. All cream-filled or custard-filled pastries shall be prepared and handled in accordance with the following requirements:
 - Pastry fillings shall be placed in shells, crusts, or other baked goods either while hot (not less than 60°C or 140°F) or immediately following preparation, if a cold process shall be used;
 - Such fillings and puddings shall be refrigerated at 7°C (45°F) or below in shallow pans, immediately after cooking preparation, and held thereat until combined into pastries or served;
 - All completed custard-filled and cream-filled pastries shall, unless served immediately following filling, be refrigerated at 7°C (45°F) or below promptly after preparation, and held thereat pending service;

- i. The floor area shall not less than 9.3 sq. m. (100 sq. ft) and in no case be less than 3.06 sq. m. (33 sq. ft.) for each person working thereat cleared of all furniture, fittings and stored goods.
- ii. The portion of the floor immediately in front of every baker's oven that is heated by means of solid fuel shall be made with cement concrete finished smoothly with cement mortar, tiles or other even and non-flammable materials for a distance of not less than 1.83 m. (6 feet) from the oven.
- iii. Oven shall be constructed or installed as to enable the top or side to be readily inspected or cleaned or so cased as to prevent the accumulation of rubbish on the top or sides thereof.

3.5 Display

- i. No person shall place or display or remove from any bakery, bakehouse, cake kitchen any bread, cakes, pastries, bakers small goods or sandwiches and other similar food for sale unless all such foods are adequately protected from rain, dust, flies and other contaminants.

3.6 Transport of Bakery Products

- i. 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.
- ii. All crates and other containers used for the delivery of bread or bakers small goods from bakeries or bakehouses to retail premises shall be cleaned and sanitized at such intervals as necessary to keep in

a clean and sanitary condition. Such crates or containers shall be stored as to protect them from contamination.

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

- They shall be completely enclosed and the interior wall and shall be made of smooth, impervious and easily cleanable materials.

c. DAIRIES

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

1.1 The certification of a licensed veterinarian shall be required as to the health status of the cow, carabaos or goats producing milk.

1.2 The existing sanitation standard of the Department of Health with regards to the sanitation of dairy barns, stable or parlor is being adopted and made part of these rules and regulations.

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.

3.1 The health officer shall control free-lance individuals from retail selling cottage cheese and milk coming from their cows, carabaos or goats and bottling them, pasteurized or not pasteurized, unless such products are coming from licensed dairy outlets.

d. ICE PLANTS

1. Sanitary Permit Requirements

No person or entity shall operate an ice plant without securing a sanitary permit in accordance with Section 3, (a) of these rules and regulations.

2. Health Certificate Requirements

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 Section 3, (b) of these rules and regulations.

3. Sanitation Requirements

The construction and operations of an ice plant shall conform with the standards prescribed by the Department of Health:

3.1 No establishment of this kind must be constructed 25 meter from sources of contamination.

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

i. The floors shall be constructed of concrete and easily cleaned material and shall be adequately graded and drained.

ii. The walls at all rooms in which ice is manufactured, processed, packaged and stored shall be of impervious, non-absorbent material to a height of not less than 2 meters (79 inches) from the floor and constructed of dust proof materials and maintained in a clean and sanitary condition.

iii. All ceilings shall be smooth, non-absorbent and dust-proof.

- iv. There shall be at least 10 foot candles or light in all rooms except for the storage room which requires 5 foot candle only.
 - v. There shall be sufficient ventilation for all rooms to ensure sanitary conditions.
- 3.3 No person afflicted with communicable disease shall work in any area of an ice plant.
- 3.4 All employees shall wear clean protective garments and shoes and conform with hygienic practices while on duty.
- 3.5 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.
- 3.6 Water Supply
- i. Water supply shall be potable and from approved public or private water supply system.
 - ii. All water filters, settling tanks and other treatment facilities shall be cleaned as often as necessary to keep them operational and in a sanitary condition.
- 3.7 Liquid waste shall be disposed in public sewers, or other approved disposal system.
- 3.8 Plumbing
- i. All plumbing shall be sized, installed and maintained in accordance with the National Plumbing Code of the Philippines.
 - ii. The potable water system shall be installed in such a manner as to preclude the possibility of backflow into the system.
 - iii. Soil, waste or drain pipes shall be so isolated, installed and maintained as not to constitute a source of

contamination of ice, utensils or equipments, or create an insanitary condition or nuisance.

3.9 Air for Agitation

- i. Air used for water agitation shall be filtered or otherwise treated to render it free from dust, dirt, insects and extraneous material. Filters shall be removable for cleaning or replacement.
- ii. The blower or compressor for supplying air for water agitation shall be designed so as to deliver oil-free air. Oil-free air may be produced by one of the following methods or its equivalent.
 - a. Use of carbon ring piston compressor.
 - b. Use of an oil-lubricated compressor with effective provision for removal of any oil vapor.
 - c. High pressure water-lubricated or non-lubricated blowers.

4. Sanitary Facilities

- 4.1 Ice contact surfaces, including loading platforms, conveyors and chutes shall be easily cleaned and shall be kept clean and in good condition.
- 4.2 Freezing tank covers shall be of 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.
- 4.3 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.
- 4.4 Air pipes, and coring or sucking devices shall be used as needed to produce a product free of rust or other foreign materials.

4.5 Toilet and hand washing facilities

- i. Adequate, clean and conveniently located toilet facilities shall be made available to all employees.
- ii. Toilet rooms shall be completely enclosed, with tight facilities shall be made available to all employees.
- ii. Toilet rooms shall be completely enclosed, with tight fitting and self-closing doors.
- iii. Adequate hand washing facilities shall be provided within or adjacent to the toilet rooms.
- iv. Facilities shall include hot and cold running water; single service paper or cloth towel dispenser or drying device and soap or detergent in receptacles placed nearby.
- v. Personnel of the establishment shall be provided with lockers and working garments.

5. Operation

- 5.1 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.
- 5.2 Operators shall provide sufficient equipment and utensils to process, handle and transport ice in a clean and sanitary manner. The equipment and utensils shall be sanitized after every use.
- 5.3 Garbage or trash shall be temporarily stored in containers with tight covers and collected on time scheduled by the municipal or city collection system, or by private collection system.
- 5.4 All ice blocks shall be thoroughly washed with potable water as they come in contact with delivering platform prior to distribution.

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

6. Transportation of ice

- 6.1 In transporting or delivering ice intended for public consumption, precautionary measures shall be taken to protect the ice from any source of contamination.
- 6.2 Vehicles used for transporting or delivering ice shall be of closed construction with tight fitting covers.
- 6.3 The ice compartment of vehicles used in transporting or delivering ice shall be of easily cleanable materials and shall be kept clean and in good repair.
- 6.4 All vehicles hauling packaged or unpackaged ice shall be thoroughly washed immediately prior to loading of ice.

e. AMBULANT FOOD VENDORS

1. Ambulant food vendors shall sell only bottled drinks, biscuits and confectioneries, and other pre-packed foods.
2. It is prohibited for ambulant food vendors to sell food that requires the use of utensils.

f. OYSTER BEDS

1. Oysters shall be planted and grown only in areas approved by the Secretary of Health 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.
3. For broader coverage of this topic to include all other shellfish, the model ordinance "Shellfish Sanitation Code" is recommended as basis or reference in promulgating and passing a local ordinance by city or municipality concerned.

g. FISH MARKETING AREAS

1. Only fresh and wholesome fish products shall be sold.
 - 1.1 Fresh fishes are those sold live or in ice. Ice used to preserve fish should be of the approved quality as per the Department of Health standard.
 - 1.2 Freshness and wholesomeness of fish shall be determined by the use of senses such as visual, touch and smell.
 - 1.3 Notwithstanding the above, fish shall come from approved and non-polluted sources which may include oceans, estuaries, harbors, surface waters such as rivers, streams, lakes, ponds, lagoons, aquaculture fish ponds, etc.
 - 1.4 Requirements as to the transport, containers, wrapping, packaging, utensils and equipment, food contact surfaces, display, storage, preparation and handling of perishable foods of these rules and regulations shall be applied herein.
2. Fish caught in radioactive zone 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, buying and consumption of fish caught through the use of explosives and chemicals are prohibited.

SECTION 6: CLASSIFICATION OF FOOD ESTABLISHMENTS

a. CLASSIFICATION OF FOOD EATING AND DRINKING ESTABLISHMENTS INTO CLASS A, CLASS B, AND CLASS C

1. Class A

The percentage rating shall not be lower than 90% and shall conform with the requirements of the preceding sections.

2. Class B

The percentage rating shall not be lower than 70% and all those which failed to comply with one or more minor requirements for Class A.

3. Class C

The inspection rating shall not be lower than 50% and all those who have violated one or more important items of sanitation requirements of public health importance of these rules and regulations. Class C establishments are permitted to operate only for a temporary period to be determined by the local health officer. Those below 50% shall be subject to cancellation of permit.

4. Class A food establishments found during two successive inspection to have failed to meet Class A requirements shall be degraded to Class B or C as the case maybe.

5. On the other hand, Class B or C establishments who has complied with Class A requirements may apply for upgrading or classification using EHS Form No. 111.

6. On receipt of such application, the city or municipal health officer shall cause an inspection of the premises and shall subsequently issue the appropriate classification placard of the establishment upon payment of the Food Establishment Classification Fee, the amount of which shall be set through local ordinance; or inform the applicant of any improvement or work which shall be carried out to meet the full requirements of the higher classification as the case maybe.

b. SPACE AND FACILITIES

1. Food establishments, aside from complying with the requirements of the preceding sections, shall also conform with the following requirements:

1.1 The minimum seating capacity for Class A restaurants shall be 50, 30 for Class B and 10 for Class C.

1.2 Two or more customers may request and shall be allocated a separate table and no other customer shall be

placed at such table unless by agreement of those actually seated there.

1.3 The furniture, furnishing and equipment shall be of good quality and maintained in good condition.

1.4 Tables shall be covered with cloth which shall be maintained at all times in a clean condition. Table napkins shall be available and every customer shall be provided with a freshly laundered table napkins. (Optional for Class C which may use paper napkin).

1.5 The area of the room used exclusively for dining shall be sufficient to provide reasonable space for comfortable dining and such space shall be not less than 1.11 sq. m. (12 sq. ft.) per customer per place. (not applicable to Class C).

i. The floor area of the dining room shall be completely covered with high grade quality carpet; provided that alternative suitable floor coverage to the satisfaction of an inspector may be permitted in any particular case such as marble, wood parquet, vinyl tiles, etc. (Compulsory requirement for Class A and recommended for Class B and C.)

c. ANTEROOM

1. Where customers are likely to remain in the premises for a longer period than one hour, a suitable lounge, reception room or foyer shall be provided for Class A and B establishments and shall be well furnished to seat not less than one sixth of the maximum number of customers, suitable facilities shall be available for storing cloaks, hats, raincoat, umbrellas and the like.

d. SANITARY CONVENIENCE FOR THE USE OF CUSTOMERS SHALL BE PROVIDED IN ACCORDANCE WITH THESE RULES AND REGULATIONS.

e. DANCING

1. Where dancing is authorized in the premises or in any specific part of the premises, the area allocated for that purpose shall not exceed one half of the area allocated for dining.

f. SERVING OF MEALS

1. Lunch shall be provided on Class A and Class B establishments of not less than five (5) days in each week, and dinner of not less than 6 days in each week, between the following minimum hours:

Lunch : 12:00 noon and 2:30 p.m.

Dinner: 6:00 p.m. and 8:00 p.m.

g. AIR CONDITIONING

1. The premises shall be equipped with sufficient number of appliances so that at all times, the temperature and humidity may be maintained at a level so as to provide comfortable and healthy conditions that pass sanitation standards.

2. Air conditioning of at least the dining area is compulsory for Class A and B establishments.

3. Areas which are 915 meter (3000 ft.) above sea level in elevation are exempted to this requirement.

h. PUBLIC DISPLAY OF CLASSIFICATION PLACARD

1. The placard shall be posted conspicuously in the public part of the establishment.

2. If an inspection of a Class A food establishment reveals that the premises are not being maintained in accordance with, or fail to meet any of the requirements of these rules and regulations:

2.1 The holder of the sanitary permit shall be notified by the health officer in writing of the action necessary to remedy any defects.

- 2.2 Such defects shall be corrected within 14 days of the service of the notice or the placard removed from the premises.
3. No person shall display any placard indicating the premises meeting the requirements for a Class A food establishment:
 - 3.1 Without the permission of the local health officer in writing;
 - 3.2 No person shall display any such notice and must remove the placard accordingly after being notified by the local health officer that the premises do not meet the standard for Class A food establishments.
4. No establishment shall use "Class A" or "Grade A" as their name or calling to preclude misleading the public on the classification of the food establishment.

SECTION 7: OPERATION OF CATERERS AND CATERING ESTABLISHMENTS INCLUDING CENTRALIZED KITCHENS OR BULK FOOD PREPARATION ESTABLISHMENTS OF FASTFOODS AND RESTAURANTS.

a. SANITARY PERMIT

Provisions of Section 3, (a) of these rules and regulations shall apply herein.

b. HEALTH CERTIFICATE

Provisions of Section 3, (b) of these rules and regulations shall apply herein.

c. SANITATION REQUIREMENTS

Compliance with all the applicable requirements embodied in Sections 3 and 4 and these rules and regulations shall apply herein.

d. FOOD CONTAINERS

All containers used to store, keep or hold food and drink for transportation from any caterer's premises or centralized kitchen

or bulk food preparation establishments, to any site or food outlets designated by the customers or concessionaires for consumption, shall be of the following approved type:

1. Container for liquid and semi-liquid foodstuffs, food with gravies or sauces or the like, shall be leak proof, and each provided with an adequate type of cover which will prevent the contents from spilling over and from being contaminated while in transit.
2. Containers for other foods, sandwiches, cakes and other pastry products shall be completely enclosed or sealed so as to prevent the possibility of any contamination. Such foodstuffs maybe individually wrapped or packaged.
3. Disposable or single-service articles for food shall be placed in containers designed for the purpose or fully wrapped and packaged in the same manner as being done for foodstuffs.
4. All containers shall not be composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

e. WEIGHING SCALES

1. Weighing scale shall be properly calibrated and kept free from dirt, dust and blood stains from meat/fish.
2. Meat/fish shall not be placed directly on the weighing scale. A container/wrapper for such meat/fish shall be used during weighing.

f. TRANSPORT VEHICLES

1. All vehicles used by the caterer for the transportation of food, food products, wrapping and packaging materials shall be constructed and operated so as to protect their contents from contamination.

2. Vehicles carrying readily perishable foods shall be provided with refrigeration equipment to maintain a temperature not higher than 7°C (45 °F) throughout the trip to its destination. Provisions of Section 3, (j) of these rules and regulations shall apply herein.
3. All vehicles shall be kept clean, and no substance capable of contaminating the food or food products shall be transported with the food or food products in such a manner as to permit contamination.

g. OTHER FOOD DELIVERIES

1. All other deliveries of food and food products from a food source to the food outlets shall be covered by these rules and regulations and subject to the inspection and approval of the local health office having jurisdiction on the area of origin of the food or food products in so far as the containers and vehicles are concerned.
2. Local health offices concerned at the receiving point of deliveries may also conduct inspection of the containers and vehicles and findings referred to the counterpart health office as mentioned above.
3. All inspections shall be covered by a Mission Order as discussed under Section 4, (a), (3) of these rules and regulations.

SECTION 8: REQUIREMENTS FOR THE OPERATION OF FOOD BOOTHS, STALLS, CARTS, ETC. IN CARNIVAL, FAIRS, AND THE LIKE

a. TEMPORARY SANITARY PERMIT

1. No person or entity shall operate a food booth, stall, cart, or similar trade inside carnivals, fairs and the like, without securing a temporary sanitary permit from the local health office having jurisdiction on the area.
2. All temporary sanitary permit shall be valid during the duration of the fair but in no case shall exceed three months.
3. Fees, noting of permit, record of permit certificate shall be the

regulation.

b. HEALTH CERTIFICATE REQUIREMENTS

Provisions of Section 3, (b) of these rules and regulations shall apply herein.

c. SANITATION REQUIREMENTS

1. The food booths, stalls, carts or similar trade shall be so constructed that food, drinks, utensils and equipment not be exposed to insects, dust and other contaminants.
2. They shall be located in clean surroundings and kept in a clean sanitary conditions.
3. Only food and drinks which are clean, wholesome and free from adulteration shall be sold and served.
4. Adequate supply of water of safe quality and suitable sink shall be easily available and used for cleaning utensils and equipment.
5. Only single-service containers, wrapping and packaging materials and utensils shall be used in serving or selling of food and drinks.
6. All food booths and the like shall be provided with proper storage and holding facilities to maintain the food or drinks hot or cold as the case maybe. Adequate provision shall be made for refrigeration or equivalent of readily perishable foods and drinks at 7°C (45°F) or lower. On the other hand, cooked food, including gravies and sauce, which are intended to be served with the food hot, shall be kept at a temperature not lower than 60°C (140°F).
7. Ice shall come from approved sources, and so stored and handled as to avoid contamination.
8. All garbage and rubbish from the booths, stalls, carts shall be kept in tight receptacles. Refuse containers shall also be available on the grounds of the carnivals or fairs at strategic locations.
9. Waste water and other liquid wastes shall be disposed off in a sanitary manner so as not to create nuisance.

10. Adequate containers for hand-drying device, shall be readily accessible to those working in the food booths and like. The provision of Section 3, (f), (2) of these rules and regulations shall be applicable herein.
11. Bottled and packaged drinks shall not be submerged in the cooling water. The cooling containers shall be kept clean and sanitary.
12. Water to be used in the preparation of tea, coffee, chocolate and other instant food drinks shall be prepared from safe and potable water. Sugar and cream shall be individually wrapped or served from sanitary dispensers.
13. Food booths and the like shall be well lighted particularly during night operations. The use of colored lights in displayed foods and drinks is prohibited so as not to misrepresent the true quality of product offered for sale.
14. Food booths, etc. shall be disinfected weekly, the procedure of which shall be approved by and through the supervision of the local health office.
15. The design and construction materials to be used and the proposed location of food booths, stalls, carts and the like shall be subject to the approval of the local health office concerned.

SECTION 9: REQUIREMENTS FOR FOOD DRINK VENDING MACHINES

a. SANITARY PERMIT REQUIREMENTS

1. No person shall operate a food/drink vending machine without securing a sanitary permit from the local health office.
2. The local health officer may in writing, exempt a food establishment from securing a sanitary permit for the vending machine when the same is located or part of the operation of the food establishment. The class of vending machine shall be specified in the exemption form.
3. Vending machines shall be registered only in the name of the operator.

SECTION 10: SANITATION REQUIREMENTS

Provisions of Section 3, (b) of these rules and regulations shall apply herein.

c. SANITATION REQUIREMENTS

1. The vending machines shall be so constructed that food/drinks will not be exposed to contaminants.
2. Only approved type of single service or disposable articles, wrapping or packaging materials shall be used in the vending machines.
3. A person shall not install or use a food/drink vending machine in, at or on premises or any other place or any vehicle other than the premises, place or vehicle approved by the local health office.
4. Proper temperature of the food/drinks stored in the vending machines shall be maintained.
5. The food/drink vending machine shall be maintained in a clean, serviceable and sanitary condition, free from objectionable odor, animals, or vermin.

SECTION 10: RESPONSIBILITIES OF THE LOCAL HEALTH AUTHORITY

The Local Health Authority shall:

- a. Make periodic inspection in accordance with these rules and regulations to enforce the maintenance of adequate sanitation in food establishments and their premises.
- b. Take samples of food and drinks from any establishments or vendors as often as necessary to determine unwholesomeness, adulteration, contamination or spoilage, or contamination by radioactivity:
 1. Whenever the quality of food, foodstuffs or food products or drinks are doubtful and/or suspected to be unfit for human consumption, the local health officer of the sanitary inspector shall collect samples of the food, foodstuffs, food products or drinks for laboratory examination. After the collection of samples, the health officer shall issue an Official Receipt (EHS Form No. 113) to the owner and a temporary Order to prevent

the sale of such foods. Lifting of the Order shall be issued based on the result of the laboratory examination;

2. The sample shall be submitted for laboratory examination as soon as possible on the day it is collected;
 3. When and if the laboratory examination proves that the food, foodstuffs, food products or drinks are unfit for human consumption, the local health officer or the sanitation inspector shall take necessary administrative procedure and confiscate those food and foodstuffs in an approved manner;
 4. Whenever the local health officer or the sanitation inspector finds that the food or food materials is proven to be contaminated, spoiled or from an unsafe source and will endanger public health, he shall immediately prevent the sale or condemn and destroy the food and drinks in question.
- c. Seal and prohibit the use of devices, utensils, containers, vehicles, machines, pipings and appurtenances, if in his opinion, they are insanitary, and
 - d. Enforce the provisions of these rules and regulations.

SECTION 11: PENAL PROVISION

- a. Any person who shall violate, disobey, refuse, omit or neglect to comply with any of the provisions of these rules and regulations shall be guilty of misdemeanor and upon conviction shall be punished by imprisonment for a period not exceeding six (6) months or by a fine not exceeding P1,000 or both depending upon the discretion of the court.
- b. Any person who shall interfere or hinder, or oppose any officer, agent or member of the Department of Health or of the bureaus and offices under it, provincial, city or municipal health officers, sanitary engineers and sanitation inspectors in the performance of his duty as provided for under these rules and regulations, or shall tear down, mutilate, deface or alter any placard, or notice, affixed to the premises in the enforcement of these rules and regulations shall be guilty of misdemeanor and punishable upon conviction by imprisonment for a period not exceeding six (6) months or by a fine not exceeding P1,000 or both depending on the discretion of the court.

SECTION 12: SEPARABILITY CLAUSE

In the event that any rule, section, paragraph, sentence, clause or work of these rules and regulations is declared invalid for any reason, the other provisions thereof shall not be affected thereby.

SECTION 13: REPEALING CLAUSE

All pertinent rules and regulations which are inconsistent with the provisions of these rules and regulations are hereby repealed or amended accordingly.

SECTION 14: EFFECTIVITY

These rules and regulations shall take effect after fifteen (15) days from date of publication in the official gazette or a newspaper of general circulation.

Approved on this 29th day of December nineteen hundred ninetyfive.


HILARIO J. RAMIRO, JR., M.D., M.H.A.
Secretary of Health

Date of Publication: February 23, 1996
Manila Standard
/210395foodcom

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OF THE PHILIPPINES (P.D. 856)

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**IMPLEMENTING RULES AND REGULATIONS OF CHAPTER III
"FOOD ESTABLISHMENTS" OF THE CODE ON SANITATION
OF THE PHILIPPINES (P.D. 856)**

To carry out the provisions of Chapter III - "Food Establishments", these rules and regulations are hereby formulated for implementation and strict compliance of all concerned.

SECTION 1 : SCOPE

These implementing rules and regulations shall apply to all food establishments and facilities including those located in vessels, food containers and vehicles, and food sold in the streets.

SECTION 2: DEFINITION OF TERMS

As used in these rules and regulations, the terms below shall be defined as follows:

- a. **APPLIANCE** - includes the whole or part of any utensil, machinery, instrument, apparatus, or article used or intended for use in or for making, keeping/storing, preparing or supplying of any food.
- b. **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.
- c. **BAKERY, BAKEHOUSE, CAKE KITCHEN OR SHOP AND SIMILAR ESTABLISHMENTS** - any premises in which breads, pastries, cakes, savories, or other bakers smallgoods are baked or cooked for sale and any portion of such premises used for storage of yeast, flour or other ingredients, or used for the kneading or working with dough.
- d. **CATERER** - any person, firm or corporation maintaining or operating a kitchen or any similar establishment for the preparation, purveying, cooking or processing of food or drink for sale or hired to serve to persons elsewhere.

- e. **CONTAMINATION** - the presence of infectious or non-infectious agent in an inanimate article or substance.
- f. **DAIRIES** - establishments for the production, sale or distribution of milk or milk products such as butter or cheese.
- g. **FOOD** - any raw, cooked or processed edible substances, beverages or ingredient used or intended for use or for sale in whole or in part for human consumption.
- h. **FOOD ESTABLISHMENT** - an establishment where food or drinks are manufactured, processed, stored, sold or served, including those that are located in vessels.
- i. **FOOD CART** - a non-enclosed, movable food stand, with or without wheels, selling take-out foods and/or drinks such as 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.
- j. **FOOD ESTABLISHMENT OPERATOR** - any person who by ownership or contract agreement is responsible for the management of one or more food establishments.
- k. **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 snack foods and usually found in fastfood areas of multi-purpose establishments. They are sometimes referred to as self-service restaurants.
- l. **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.
- m. **GROCERY** - where staple food articles commonly called "groceries" are handled and sold.
- n. **HEALTH CERTIFICATE** - a certification in writing, using the prescribed form, and issued by the municipal or city health officer to a person after passing the required physical and medical examinations and immunizations.

- o. **HEALTH OFFICER** - Provincial, City or Municipal Health Officer.
- p. **LOCAL HEALTH AUTHORITY (LHA)** - and official or employee responsible for the application of a prescribed health measure in a local political subdivision. For the provincial level, the local health authority is the Governor and the Mayor for a city or municipality as the case maybe.
- q. **MISBRANDING** - indicates all possible conditions of fraud, mislabeling, imitation or misrepresentation of food products.
- r. **RESTAURANT** - coffee shops, canteens, panciteria, bistro, carinderia, fast food, refreshment parlors, cafeteria, 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.
- s. **READILY PERISHABLE FOOD** - any food of such type or in such condition 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 of micro-organisms.
- t. **SANITATION INSPECTOR** - an officer employed by the national, provincial, city or municipal government, who enforces sanitary rules, laws and regulations and implements environmental sanitation activities.
- u. **SANITARY ENGINEER** - a person duly registered with the Board of Examiners for Sanitary Engineers (RA 1364) and who heads the sanitation division or section or unit of the provincial/city/municipal health office or employed with the Department of Health or its regional field health units.
- v. **SANITARY PERMIT** - the certification in writing of the city or municipal health officer or sanitary engineer that the establishment

compliance with the existing minimum sanitation requirements as per evaluation or inspection conducted in accordance with Presidential Decrees No. 522 and 856 and local ordinances.

- w. **SANITIZE** - an effective bactericidal treatment to render surfaces of utensils and equipment free of pathogenic microorganisms.
- x. **SARI-SARI STORE** - a convenient store where a variety of food and food materials and other household merchandise are sold in small scale.
- y. **SECRETARY** - the Secretary of Health.
- z. **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 materials which are intended to be discarded after use.
- aa. **UTENSILS AND EQUIPMENT** - any kitchenware, tableware, glassware, cutlery, containers, stoves, sinks, dishwashing machines, tables, meatblocks and other equipment used in the storage, preparation, distribution or serving of food.
- ab. **VERMIN** - a group of insects or small animals such as flies, mosquitoes, cockroaches, lice, bedbugs, mice and rats which are vectors of diseases.

SECTION 3 : 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
 - 2.1 The application or renewal of Sanitary Permit shall be filed with the city or municipality health office having jurisdiction over the establishment utilizing EHS Form No. 110. For inter-island and coastline vessels, the application shall be filed in the city or municipal health office of the vessels' port of origin or head port.

2.2 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. Fees shall be paid upon application, renewal and noting of sanitary permits. The amount of fees shall be set through city or municipal ordinance.
4. 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 or municipal 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.
5. 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.
6. The Sanitary Permit shall be posted in a conspicuous place of the establishment and shall be available for inspection by health and other regulatory personnel.
7. Record of Permit Certificates
 - 7.1 Every city or municipality shall keep a record of all establishments in respect of which permits have been issued and all permit certificates and renewal thereof.
 - 7.2 The record shall in every case show the following.
 - i. The name and address of the holder of the sanitary permit who in every case shall be the actual occupier of the establishment;
 - ii. The location of the establishment;
 - iii. The purpose or purposes for which the permit has been issued;

iv. The date the first permit was issued and the dates of any renewal thereof;

v. Every change of occupation and management of an establishment since the first permit was issued;

vi. Conditions under which the permit was issued or any renewal thereof granted; and

7.3 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 CERTIFICATES AND FOOD HANDLERS

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

4. Health certificates are non-transferrable.

5. Requirements regarding food handlers:

5.1 Food handlers shall observed good personal hygiene and practices such as:

5.1.1 Wearing clean working garments and hair restrain.

5.1.2 Washing hands, arms and fingernails before working. Such washing must be repeated during working hours and after smoking, visiting the toilet, coughing or sneezing into hands, or as often

as may be necessary to remove dirt and contaminants.

5.1.3 Using, chewing 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.

5.2 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.

5.3 The manager or person-in-charge of the establishment shall notify the health officer or the company physician if any, when any employee is known to have a notifiable disease.

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:

1.1 All meats shall come from duly licensed slaughterhouses inspected and approved by the veterinarian or the regulatory authority. Processing of meat products shall be done as per existing regulation and in an approved manner.

1.2 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.

1.3 Vegetables and fruits shall come from safe sources where the soil is not contaminated by night soil, sewage and toxic chemicals.

1.4 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 a large amount of radioactive fallout.

- 1.5 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

- 2.1 All food and food materials shall be transported in sanitary transporting facilities inspected and approved by the local health officer. In the transport of food, all food shall be in covered containers, wrapped or packed, so as to be protected from contamination. All readily perishable foods shall be kept at 7°C (45°F) or below; or 60°C (140°F) or above during transport, as the case maybe.
- 2.2 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 local health officer, where the food and food materials originated. Fees for the issuance of the certificate shall be set through city or municipal ordinance.
- 2.3 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. Preparation, Storing and Serving of Food and Drink

- 3.1 All food while being displayed, stored prepared, served or sold shall be protected from contamination such as dust, flies, rodents and other vermins.
- 3.2 All meats, fish, shellfish, shrimps, prawn and other sea, brackish water, surface water or aquaculture food products shall be properly washed before being cooked or served.
- 3.3 Suitable utensils shall be provided and used to minimize handling of food at all points where food is prepared.

- 3.4 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 surfaces and with utensils which have been sanitized prior to its usage.

- 3.5 Milk shall be stored in a refrigerator. Canned or packaged milk, other than dry milk powders shall be refrigerated after the container has been opened.

- 3.6 All readily perishable foods shall be stored at 7°C (45°F) or below.

- 3.7 Food to be served cold shall be kept at a temperature below 7°C (45°F).

- 3.8 Cooked food intended to be served hot shall be kept at a temperature not lower than 60°C (140°F) and if possible be placed over hot conveyor or food warmer to keep it hot.

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

- 3.10 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.

- 3.11 Cracked/chipped glasses, cups should be discarded.

d. REQUIREMENTS REGARDING THE USED OF FOOD SERVICE SPACES

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:

- 2.1 Which is at anytime used or in direct communication with a sleeping apartment or toilet.

- 2.2 In which any animal is kept. Display of any live animals in the food areas is strictly prohibited. Poultry should be kept in cages separate from the food preparation and serving areas.
- 2.3 Which is or has been used for any purpose which would likely contaminate the food or to affect its wholesomeness or cleanliness. Persons not directly connected with food storage, preparation and serving are not allowed in food service areas.
- 2.4 Which is not exclusively for the purpose; Provided, that in department stores or multi-purpose establishments like shopping malls, etc., food maybe manufactured, prepared, cooked, stored or sold only in the area set exclusively for said purpose and for which a Sanitary Permit has been issued.
- i. Food Stalls
 - Adequate ventilating hood shall be installed in the cooking areas.
 - Hand washing and dishwashing facilities shall be provided.
 - All for sale and in storage shall be maintained hot (not less than 60°C) or cold (not higher than 7°C), as the case maybe.
 - All other requirements of a regular restaurant shall be imposed in the operation of food stalls.
 - Those that are proposed to be operated outside of the fastfood areas are subject to the approval of the local health officer.
 - ii. Food Carts
 - Food carts shall be located preferably inside the fastfood area. Food carts located outside the fastfood area selling bread, pastries, cakes, bottled or canned or packaged food, popcorn

and juice or soft drinks and similar fluid drinks in mechanical dispensers maybe allowed subject to the approval of the local health officer.

- Design and construction materials shall be in accordance with the standard setforth in these implementing rules and regulations.
 - Only approved food grade single-service or disposable articles, containers, wrapping and packaging materials shall be used. Each cart shall have refuse receptacles.
 - Food being sold shall be protected from contaminants by displaying and storing food for sale in showcase cabinets, showcase refrigerators, bread or food warmers, steamer or steam table or cabinets and similar equipments that will maintain the food either cold (not higher than 7°C) or warm (not less than 60°C). It is strictly prohibited to let food stand at room temperature. Heating of food only when ordered and before serving is not a substitute to maintaining them in proper temperature.
 - Personnel will be subjected to the requirement of the health certificate and hygienic practices and habits.
- iii. Restaurants and other Food Establishments
 - All restaurants and other food establishments shall operate only in accordance with the set sanitation standard as stipulated in Department of Health Order No. 258-B, s. 1991.

e. STRUCTURAL REQUIREMENTS

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 requirements:

1. FLOORS

- 1.1 The floor of all rooms in which food or drink is stored prepared or served, or in which utensils are washed, shall be constructed of concrete or other impervious or easily cleaned material that is resistant to wear and corrosion and shall be adequately graded and drained; all angles between the floor and walls shall be rounded off to a height of not less than 7.62 cm. (3 inches) from the floor; or
- 1.2 Constructed of wood with dovetailed or tongue and grooved floor boards laid on a firm foundation and tightly clamped together with all angles between the floor and walls rounded off to a height of 7.62 cm. (3 inches); or
- 1.3 Constructed in accordance with sub-clauses 1.1 and 1.2 of this clause and covered with linoleum, smooth surface rubber or similar material, fixed to the floor with cement or suitable adhesive; Provided, that with the approval in writing of the local health officer, floors may be covered with carpets or other floor covering in those parts of the premises where such carpets or coverings can be satisfactorily cleaned and maintained.
- 1.4 Mats or duckboards, if used, shall be constructed as to facilitate being cleaned and shall be kept clean.
- 1.5 Weighing scale for wet products like meat, fish, vegetables shall be provided at the receiving area and shall always be kept clean.
- 1.6 The walking and driving surfaces of all exterior areas where food is served, such as drive-in-restaurant, sidewalk cafes, patio service, chuckwagon services, barbecues and similar establishments, shall be kept clean and free of debris and shall be properly drained so that water does not accumulate. Such

areas shall be surfaced with concrete, asphalt or similar materials to facilitate cleaning and to minimize dust.

- 1.7 Floor drains shall be provided. Floors which are water flushed for cleaning or which receive discharge of water or other fluid waste from equipment shall be graded to drain.

2. WALLS

- 2.1 The internal surface of walls shall have a smooth, even, non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials;
- 2.2 The walls, where subject to wetting or splashing, shall be constructed of impervious, non-absorbent materials to a height of not less than 2 meters (79 inches) from the floor;
- 2.3 The internal walls shall be painted in light colors or treated with such other wall finish as the health officer prescribes;
- 2.4 Wall covering materials used, such as sheet metal, tile, plastic and other similar materials shall be attached and sealed to the wall or ceiling as to leave no open spaces or cracks which would permit accumulation of grease and debris, or provide harborage for vermin. Use of local decorative materials such as sawali, coconut materials, fish net and other similar materials to manifest native ambiance of the place, shall be allowed only in particular area of the establishment subject to the approval of the local health officer before installation;
- 2.5 Light fixture, decorative materials and other similar equipment and material attached to walls or ceilings shall be kept clean. Flower vases on walls shall be kept clean and the water shall be changed at least once every three days to prevent breeding of mosquitoes.

3. CEILINGS

- 3.1 All ceilings or, if no ceiling is provided, the entire under-surface of the roof shall be dust-proof and washable;

- 3.2 The ceiling or under-surface of the rooms in which food is prepared or packed or in which utensils or hands are washed shall be smooth, non-absorbent and painted light color.

4. LIGHTING

- 4.1 The general standards of illumination provided shall permit effective inspection and cleaning and shall be of sufficient intensity and appropriate to the purpose for which any room or place is used. Illumination shall be supplied by a source of light which is constant, without fluctuation or oscillation except in night clubs and the like, that may cause eye fatigue;
- 4.2 In rooms where food is prepared or packed or in which utensils or hands are washed, there shall be a minimum illumination intensity of 20 foot candles (215.2 lux); in premises where food is consumed, there shall be a minimum illumination intensity of 5-foot candles (53.8 lux). Intensities of illumination shall be measured at a point 76.20 cms. (30 inches) above the floor, the lighting intensity shall be measured by a light meter (foot candle meter or lux meter).
- 4.3 All lighting shall be reasonably free from glare and distributed so as to avoid shadows.
- 4.4 At other areas or working surfaces, the illumination shall be in the following intensity:
- i. 100 foot-candles (1076 lux) - seeing tasks requiring discrimination of fine details under conditions of fair contrast and where the nature of work is very exact and prolonged;
 - ii. 50 foot-candles (538 lux) - seeing tasks requiring discrimination of details over prolonged periods of time and under conditions of moderate contrast;
 - iii. 10 foot-candles (107.6 lux) - casual seeing tasks not involving discrimination of fine details;
 - iv. 5 foot-candles (53.8 lux) - rough seeing tasks not requiring critical seeing;

- 4.5 Supplemental or local lighting shall be added where the tasks require more light than is provided by the general illumination, or where direction of light is indicated in the form of a low place fixture or a "spotlight" type of light.

- 4.6 Lighting fixtures used in areas exposed to extreme temperatures (ovens, freezers, etc.) shall be the type approved by the local health officer.

- 4.7 Use of colored lights or bulbs in the display of food or food materials is strictly prohibited.

5. VENTILATION

- 5.1 Ventilation shall be provided which shall be effective and suitable to maintain comfortable condition. The natural air supply in any workroom shall in no instance be less than 0.005 cubic meter per second per person. In workrooms in which the work is demanding, a ventilation rate of 0.015 cubic meter per second per person is required.

- 5.2 The ventilation shall be adequate to prevent the air from becoming excessively heated, prevent condensation and the formation of excess moisture on walls, ceilings and for the removal of objectionable odors, fumes and impurities.

- 5.3 In the absence of effective natural ventilation, mechanical ventilation with airflow from a clean area, and discharging in such a manner as not to create a nuisance, shall be provided. Toilets shall be provided with mechanical exhaust ventilation by which the air in such rooms is changed not less than six times per hour.

- 5.4 Canopies, air ducts, fans or other appliances shall be provided as required by the health authority in particular circumstances;

- i. The equipment and processes that emit or create harmful fumes, vapors and other impurities in quantities that can injure the health of those exposed or create nuisance to others shall be connected to an exhaust system or otherwise effectively controlled;

... A complete exhaust system shall include an air suction device, hoods, ducts, fan objectors, separators and receptacles and other parts necessary for its proper installation. Inlet velocities shall be regulated per existing standard on industrial hygiene;

iii. All exhaust system shall discharge to the outside atmosphere, provided however that air may be recirculated if it is passed through a suitable cleaning device and is safe and wholesome when reused. The amount of air circulated in workrooms shall not exceed seventy five percent (75%) and in dining rooms shall not exceed fifty percent (50%);

iv. The point of discharge of an exhaust system shall be so located so that the discharge materials shall not re-enter places of employment nor create hazard to the public nor cause any general nuisance;

v. In all workrooms, outside air shall be provided at the rate of 0.008 cubic meter per second per person, or one-half air change per hour whichever is greater;

vi. Air circulated in workrooms shall be supplied through air inlets arranged, located and equipped so that the workers are not subjected to air velocities exceeding 1.02 meter per second. Ventilation hoods and devices shall be designed to prevent grease or condensate from dripping into food or into food preparation surfaces. Filters if used, shall be of commercial type grease filters and shall be installed so that they are readily removable for cleaning and replacement. Where air ducts are used, they shall be designed and maintained so as to prevent the entrance of dust, dirt, vermin or other contaminating materials. Effective provision shall be made for securing and maintaining a reasonable temperature. Ideal temperature in all work areas is 26.67°C (80°F).

6. OVERCROWDING

There shall be sufficient floor space to enable every person working thereon to carry out his duties efficiently and to

permit easy access for cleaning. Working spaces, aisles or passageways and areas to which customers have access shall be unobstructed and sufficient to permit movement of employees and customers without contamination of food by clothing or personal contact.

The following guidelines shall be observed to prevent overcrowding of restaurants:

Table 1.

DINING ROOM AREAS		
Number of Persons Using Dining Room	Area/Person Sq. m. (Sq. ft.)	
below 25	1.12	12
25 to 74	1.02	11
75 to 149	0.93	10
150 to 500	0.84	9
more than 500	0.74	8

Table 2.

MINIMUM VOLUME AND SPACE		
Work Rooms/Worker	-	11.33 cu.m (400 cu. ft.) without deduction of benches, machines, etc.
Office Space	-	7.08 cu. m. (250 cu. ft.)
Kitchen Area	-	1/4 of total dining area but not less than 9.30 sq. m. (100 sq. ft.)

7. CHANGEROOMS

There shall be provided adequate and suitable lockers or other facilities for the orderly storage of clothing and personal belongings of employees or persons engaged or employed in the premises. Such facilities shall be so situated and arranged that there is no contamination of food by contact with clothing. Where the number of persons engaged or employed is four

(4) or more of either sex, there shall be provided separate changing rooms for each sex.

Change rooms shall be cleaned daily and disinfected at least once a week.

f. SANITARY FACILITIES REQUIREMENTS

1. WASH-HAND BASINS

1.1 Wash-hand basins shall be installed in convenient places and as near as practicable to where the person for whose use they are provided or in such locations as maybe otherwise prescribe in any particular case.

1.2 If required in writing by the local health officer, an additional wash-hand basin shall be installed as near as practicable to the toilet facilities; provided, that wash-hand basins specified in these rules and regulations need not be installed in premises where only food in sealed container is sold; and provided further, that wash-hand basins specified in this regulation shall be installed under specification of the National Plumbing Code of the Philippines.

1.3 Wash-hand basin maintenance

- An adequate supply of soap, nail brush, clean towels, roller towels presenting a clean surface to each user from a continuous roller towel dispenser or other hand drying services approved by health authorities shall be provided.
- The wash-hand basin and all hand washing facilities shall, at all times be maintained in good repair and in clean condition.
- All wash-hand basins shall, at all times, while the premises are being used, be supplied with hot and cold or tempered running water at a minimum temperature of 37.8°C (100°F).

2. TOILET FACILITIES

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

i. They shall be easily accessible to the customers and employees.

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

2.2 Toilets shall not be open directly into spaces where food is prepared, stored or served. Where such toilets exist, the door shall be tight fitting, self closing and opening outward.

2.3 Toilet rooms shall be completely enclosed, properly lighted and ventilated.

2.4 The number of water closets, urinals and wash-hand basins shall be provided in accordance with the following tables:

i. Food Eating and Drinking Establishments

Table 3.

Dining Room Accomodation	Water Closet		Urinal	Wash-hand Basin	
	Female	Male		Female	Male
1 - 49	1	1	1	1	1
50 - 60	2	1	1	1	1
61 - 120	2	2	2	2	2
For every additional 60 persons	1	1	1	1	1
one water closet for disabled person	1	1			

ii. Markets and Supermarkets

Table 4.

Number of person	Water Closet		Urinal Stalls	Wash-hand Basin		Drinking Fountain
	Female	Male		Female	Male	
1 - 49	1	1	-	1	1	-
50 - 100	2	1	1	1	1	1
For each additional 100 persons, one (1) water closet and one (1) urinal for every 100 males; one (1) water closet for every 50 females.						

iii. Food Establishment Personnel

Table 5.

Number of Personnel	Water Closet		Urinal	Wash-hand Basin	
	Female	Male		Female	Male
1 - 29	1	1	-	1	1
30 - 49	2	1	1	2	2
50 - 99	2	2	2	3	3
For every 100 - up, one (1) fixture for each additional 50 personnel; one (1) shower provided for every 15 personnel; one (1) drinking fountain for every 75 personnel					

2.5 Toilet Structural Requirements

- i. Approval of the health authority as recommended by the sanitary engineer of the :

- Plans of toilet
- Individual sewage disposal system, sub-surface absorption system or other treatment device.

- ii. Minimum space requirement:

Unit	Sq. m./Unit	Sq. ft./Unit
Water Closet	1.50	16
Lavatories	1.11	12
Urinals	1.11	12

- iii. Minimum height of ceiling - 2.5 m.

- iv. Lighting - not less than 10 foot-candles (107.6 lux)

- v. Natural Ventilation - window space shall be at least 10% of the floor area of toilet room

- vi. Mechanical ventilation - use of exhaust fans

3. WATER SUPPLY

- 3.1 The water supply shall be adequate and potable whether from a public or from a private water supply system. The quality of water used shall be in accordance with the Philippine National Standards for Drinking Water.

- i. All water sources shall have a Certificate of Potability of Drinking Water issued by local health officer as recommended by the sanitary engineer of the locality.

- ii. A minimum of forty (40) liters per capita per day shall be maintained.

- 3.2 Hot and cold running water, under adequate pressure, shall be provided in all areas where food is prepared, processed or handled and where food equipment and utensils are washed. Water pressure shall be maintained at 1.41 kpscm (20 psi.).

- 3.3 Drinking water if not supplied from a piped water supply system to the food establishment shall be handled, transported, dispensed in a sanitary manner and may be stored in a separate tank, reservoir or container approved by the local health officer.

- 3.4 Bottled and packaged potable drinking water shall be handled, stored and protected from contamination. The bottled drinking water shall come from approved source in accordance with Department of Health Administrative Order No. 18-A, s. 1993 and dispensed from the original container filled by the supplier. It is prohibited to serve the bottled water already poured in drinking glasses of customers.

3.5 Water used for steam process which have contact with food or food contact surfaces shall be free from any materials or additives other than those specified by the Department of Health.

3.6 Ice shall come from ice plants with Sanitary Permit or shall be made from water meeting the requirement of these rules and regulations. Ice making machine shall be located, installed, operated and maintained properly to prevent contamination of the ice.

3.7 Ice shall be handled, transported, stored and dispensed in such a manner as to be protected against contamination. During deliveries, it shall not be placed in the ground or any filthy surfaces without protection. Ice shall be dispensed in measured quantities from an approved ice maker dispensing unit. Adequate and acceptable ice storage and dispensing utensils shall be provided and properly used.

3.8 Handles, chains and other contaminating items shall not come in contact with ice.

4. SEWAGE DISPOSAL AND DRAINAGE

All sewage discharged from food establishments shall be disposed in a public sewerage system, 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.

5. REFUSE COLLECTION, SEPARATION, STORAGE AND DISPOSAL

5.1 Collection

- i. Refuse cans may be used in food preparation areas for immediate use only. All garbage and rubbish

containing food waste shall be kept in containers, constructed of impervious materials which are leak proof and do not absorb liquids.

- ii. All containers shall be provided with tight-fitting lids or covers, so constructed and maintained as to be vermin-proofed and easily cleansed. The containers or cans shall be lined with plastic trash bags to prevent food sticking directly into the containers and to facilitate easy disposal, tightly covered at all times, except during actual use in food preparation areas.

- iii. After being emptied, each container shall be thoroughly cleaned inside and outside with soap and brush. Washing shall be done in a place and manner so as not to contaminate food, equipment, utensils, or food preparation areas. Brushes for washing garbage containers shall be used for no other purposes.

- iv. 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.

5.2 Segregation/Separation

Refuse shall be separated as follows:

- i. Recyclables - these include dry papers/cardboards, plastics/rubbers, glasses, broken bottles, metals and minerals.
- ii. Trashes- are ashes, rice hulls, chaffs, husks, shells, cobs, papers, cardboards.
- iii. Food Materials - are food leftovers, kitchen/cooking wastes, food washings, vegetables trimmings, fruit peelings, egg shells, bones, entrails and gills.

5.3 Storage

- i. 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 a potential insect and rodent attractant, harborage and nuisance.

- ii. Refuse storage room or enclosure maybe constructed and it shall be of easily cleanable, washable materials and vermin proof. The floors and the walls shall be of relatively non-absorbent materials. Refuse containers or cans outside the food establishment shall be stored either on concrete slab at sufficient distance above the ground to facilitate cleaning of the storage area.
- iii. Holding bins may likewise be used, provided they are constructed of impervious, readily-cleaned materials and fitted with tight-fitting cover.
- iv. Storage refuse cans, filled and empty, shall be in a designated space separate from food handling operations.
- v. Where refuse cans are used, a space separate from the food preparation space and adjacent to the refuse-can storage space shall be provided for cleaning. This space shall be equipped with scrubbing brush, cleansing agents, steam or hot water under pressure, and a hose fitted with adjustable nozzle.
- vi. Storage areas shall be maintained clean at all times.

5.4 Disposal

1. All garbage, rubbish and other refuse shall be disposed off at least once a day, or at such frequencies through a municipal or city or private collection system or by any approved method, and in such a manner as to prevent nuisance.
- ii. Open burning of refuse shall be discouraged, however, where rubbish or other combustible part of refuse is burned in the premises, an incinerator shall be provided 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.

8. REQUIREMENTS REGARDING VERMIN CONTROL.

1. Spaces where food and drinks are stored, prepared and served shall be constructed and maintained as to exclude vermin. Plans of food establishments shall be submitted to the local health office for approval before its construction/operation.
2. All opening which connects spaces to the outer air shall be effectively protected with screen of non-corrosive wire or even materials # 16-mesh wire or finer. Doors shall be tight-fitting and self-closing.
3. A vermin abatement program shall be maintained in the establishment by the owners, operators, or administrators. If they fail, neglect or refuse to maintain a vermin abatement program, the local health agency shall undertake the work at their expense.
 - 3.1 All food establishment shall submit an annual vermin abatement plan as a pre-requisite in the issuance/renewal of the Sanitary Permit; or
 - 3.2 A contract from a Department of Health accredited pest control operator.
4. During deratting or disinfecting operations, food preparation and cleaning equipment shall be covered to protect them from toxic chemical substances.
5. Insect and rodent attractants shall be removed or covered. There shall be no poison baits in food processing establishments, food storage and other places in which food is being served.
6. Proper housekeeping and clean-up of surroundings shall be maintained at all times.
7. Vermin control in public places shall be the responsibility of the provincial, city, or municipal governments which have jurisdiction over them.

8. The procedure and frequency of vermin abatement program shall be determined and approved by the local health authority.

h. REQUIREMENTS REGARDING EQUIPMENT AND UTENSILS

1. Construction, Design and Maintenance

- 1.1 Equipment and utensils shall be so designed, fabricated and installed so that cleaning is easy and that they do not pose health hazards.
- 1.2 Lead-soldered containers and cadmium-lined piping and fixtures shall not be used.
- 1.3 Surfaces that come in contact with food or drinks shall be made of materials that are impervious, corrosion-resistant, non-toxic, easily cleanable, durable and resistant to chipping.
- 1.4 Adequate number of utensils and equipment shall be provided in proportion to the expected number of customers.
- 1.5 A three-compartment sink shall be provided and used for manual washing and sanitizing of equipment and utensils. At least a two-compartment sink shall be provided and used for washing kitchenware and equipment which do not require sanitizing and for washing vegetables.
- 1.6 Sinks used for manual washing and sanitizing shall be of adequate length, width and depth to permit the complete immersion of the utensils and equipment. Dish baskets shall be of such design as to permit complete immersion of the utensils and equipment being sanitized therein.
- 1.7 All utensils, equipment and vegetable sinks shall be constructed of smooth, easily cleaned, non-corrosive

materials, suitably reinforced, of such thickness and design as to resist denting and buckling, and free from open seams.

- 1.8 Appliances, glasswares, tablewares, utensils and equipments with noticeable cracks and seams shall not be used in food establishment.

- 1.9 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 or open-based fixtures shall be removable to facilitate inspection, cleansing and maintenance.

2. Washing of Utensils

- 2.1 Utensils shall be scrapped with all food particles into trash bags before washing.
- 2.2 Utensils shall be thoroughly cleansed in warm water at 49°C (120°F) with soap or detergent.
- 2.3 If running water is not used, the wash-water shall be changed frequently.

3. Bactericidal Treatment (Sanitizing)

Eating and drinking utensils and equipment, after thoroughly cleaned, shall be subjected to one of the following bactericidal treatments:

- 3.1 Immersion for at least half a minute in a clean hot water at a temperature of at least 77°C (170°F);
- 3.2 Immersion for at least one minute in a lukewarm water containing 50-100 ppm chlorine solution;
- 3.3 Exposure in a steam cabinet at a temperature of at least 77°C (170°F) for at least 15 minutes or at a temperature of 93°C (200°F) for at least 5 minutes;

- 3.4 Exposure in an open or hot air cabinet at a temperature of at least 82°C (180°F) for at least 20 minutes;
- 3.5 Immersion in water with iodine solution (12.5 ppm) for one minute.
- 3.6 Any other method approved by the local health authority.
- 4. Handling of Washed Utensils
 - 4.1 Washed utensils shall be allowed to drain dry in wire rack without use of drying cloths, or shall be stored in a self-draining position to permit ready air-drying;
 - 4.2 The drying cloth on which to store dishes and utensils temporarily after bactericidal treatment shall be cleaned and changed frequently;
 - 4.3 Food contact surfaces of cleaned and sanitized equipment and utensils shall be handled in such a manner as to be protected from contamination. Cleaned spoons, knives and forks shall be picked up and touched only by their handles. Clean cups, glasses and bowls shall be handled so that fingers and thumbs do not touch the inside surface or lip contact surfaces.
- 5. Storage of Washed Utensils
 - 5.1 Washed utensils shall be stored in a clean and dry place adequately protected against vermin and other sources of contamination;
 - 5.2 Cups, bowls, and glasses, shall be inverted for storage;
 - 5.3 Cleaned and sanitized portable equipments and utensils shall be stored 46 cms. (18 inches) above the floor in a clean, dry location and suitable space and facilities provided for such storage so that food contact surfaces are protected from splash, dust and other contaminants;
 - 5.4 Utensils shall be air dried before being stored or shall be stored in a self-draining position on suitably located rack and suitably constructed shelves;

- 5.5 Containers and utensils shall be stored in properly constructed cabinets or otherwise properly protected from contamination;
- 5.6 When not stored in closed cupboards or lockers, utensils and containers shall be covered or inverted whenever practicable. Utensils shall not be stored in the bottom shelves of open cabinets below the working top levels.
- 5.7 Facilities for the storage of silverware shall be provided and shall be designed and maintained in order to prevent them from being contaminated by the employee or customer.
- 5.8 Racks, trays and shelves shall be made of materials that are impervious, corrosion-resistant, non-toxic, smooth, durable and resistant to chipping.
- 5.9 Drawers shall be made of the same materials and kept clean. Felt-lined drawers are not acceptable, but the use of clean and removable towels for lining drawers is acceptable.
- 5.10 Swabbing

Use one (1) swab for each group of four or more similar utensils. Take the swab from a freshly opened container of dilution water or dip a sterile swab, if separate, in such dilution water, and squeeze it against the inside of the container so as to remove excess water, leaving the swab moist but not wet. Rub the swab slowly and firmly three times over the significant surfaces of four or more similar utensils, reversing the direction each time. After swabbing each utensil, return the swab to the container of dilution water, rotate the swab to the container of dilution water, press out the excess water against the inside of the container before swabbing the next of the four or more utensils in the group. The significant surfaces of utensils consist of the upper half-inch of the inner and outer surfaces of bowls and spoons. If it is desired to examine forks and surfaces of the dishes, etc., the area to be swabbed shall include the entire inner and outer

surfaces of the tines of forks, the inner surfaces of plates and bowls. On plates, swab three times reversing the direction of each stroke completely across each of the two diameter at right angles to each other. On bowls, swab three times reversing the direction of each stroke around the inner surface of the bowl about halfway between the bottom of the bowl and the rim.

When swabbing equipment, remove swab from the tube of buffered solution and press out excess liquid on the inside wall of solution container and rub cotton portion of swab slowly and thoroughly over approximately 51.64 sq. cm. (8 sq. in.) of equipment surface. Rub slowly and firmly in a path of 1.27 cm. (0.5 in.) width and 40.65 cm. (16 in.) in length. Rub swab in reverse direction, and repeat initial stroke. Return swab to original container of buffered solution, rotate the swab in diluent and press out excess liquid. Using the same applicator, swab four times other 51.64 sq. cm. (8 sq. in.) areas of the same pieces of equipment, rewetting swab and pressing out excess liquid before swabbing successive areas.

i. DRY STORAGE OF NON-PERISHABLE FOODS

Non-perishable foods shall be stored in the following manner:

1. Designated spaces, lockers, cupboards, racks, shelves and containers shall be used for storage;
2. 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 or equivalent material fitted with tight covers;
3. The recommended temperature range for dry storage is 10-15°C (50-60°F) except where dry foods for immediate use are stored in the preparation and servicing spaces;
4. Food or food materials shall be stored separately from chemicals and disinfectants so as to avoid contamination;
5. Food storage rooms shall be insect and vermin proof;

6. Wet and dry food and food materials shall be stored separately; and
7. Food must be stored at least 20 cms. (8 in.) above the floor to facilitate cleaning of the storage area.

j. REFRIGERATED STORAGE OF PERISHABLE FOODS

Perishable foods shall be stored in the following manner:

1. They shall be kept at or below 7°C (45°F) except during preparation or when held for immediate servicing after preparation;
2. When such foods are to be stored for extended periods, a temperature of 4°C (40°F) is recommended;
3. Fruits and vegetables shall be stored in cool rooms;
4. Recommended temperatures for perishable food storage are:
 - 4.1 Frozen foods: not more than -12°C (10°F)
 - 4.2 Meat and Fish: 0-3°C (32-38°F)
 - 4.3 Milk and Milk Products: 5-7°C (40-45°F)
 - 4.4 Fruits and Vegetables: 7-10°C (44-50°F)
 - 4.5 All refrigerating compartments and refrigerators shall be kept clean, in good repair and free from odors. They shall be provided with thermometers with scale divisions not larger than 1°C or 2°F, as the case maybe. Sufficient shelving shall be provided to prevent stocking and to permit adequate ventilation and cleaning.

k. FOOD SERVICING OPERATIONS

Food serving operations shall be in accordance with the following requirements:

1. Where unwrapped food is placed on display in all types of food service operation, including buffets, and cafeterias, it

other sources by providing effective, easily cleanable, counter protective devices, sneeze and cough guards, cabinet, display cases, show cases, containers or other similar type of protective equipment. Self-service openings in counter guards shall be so designed and arranged as to protect food from manual contact by consumers. Open display of food in fast foods, carinderias and similar establishment, regardless if the food will be reheated or cooked, is strictly prohibited;

2. Leftover and/or unsold food that has been subjected to possible contamination shall not be resold or re-served or re-used for human consumption;
3. Juice, slush-ice and other bulk food beverages shall be dispensed by an approved bulk dispenser;
4. Hand contacts with food or drink, etc. shall be avoided; fingers shall not be used to served butter, ice or similar items of food. Sugar shall be served in covered dispensers or containers, or in packages wrapped for single service;
5. The surfaces of containers and utensils, including glasses and tablewares, which come in contact with food or drink shall not be handled;
6. Disposable cups, plates, spoons and other single-service containers and utensils shall be purchased in sanitary cartons and stored in a clean, dry place until their use. These articles shall be so handled or removed from the carton that the hand does not touch the surface which will be in contact with food or drink;
7. Clean clothes, napkins, spoons, towels and other cloth equipment shall be stored in clean places designated specifically for them. Soiled linens, including towels, aprons and coats, shall be stored in a closed bin or locker, suitably marked; and
8. Spoons, spatulas, dippers and scoops used intermittently for dispensing frozen desserts shall be kept in running water or in water maintained at 77°C (170°F) and frequently changed, or they maybe washed and stored in a dry place after each use. Constant temperature bottles and other containers used for potable water and other beverages shall be kept clean and

given effective bactericidal treatment before and after subsequent use.

SECTION 4: EVALUATION OF FOOD ESTABLISHMENTS

a. SANITARY INSPECTION

1. RESPONSIBLE OFFICER

It shall be the duty of the Provincial, City, Municipal Health Officer to cause an inspection and evaluation of every food establishment requiring a sanitary permit for its operations, at least every six (6) months and shall cause as many additional inspections and re-inspections and evaluation to be made as are necessary for the enforcement of the provisions of these rules and regulations.

2. SANITATION INSPECTION FEE

The fees payable on every inspection shall be such amount as existing law prescribed and/or as set through City or Municipal ordinances. Inspection of the establishment shall be conducted within seven (7) working days after payment of the inspection fee.

3. MISSION ORDER

3.1 The City or Municipal Health Officer or the Chief of the Sanitation Division or Section or Unit of the local health office, as the case maybe, shall issue a Mission Order (EHS Form No. 112) for every sanitation inspection that will be conducted by the sanitary engineer/sanitation inspector. The inspection shall be based on the frequency of inspection of each category and classification of food establishment and as a follow-up inspection or re-inspection.

3.2 The Mission Order must contain date, mission order number and series, the name of the inspector and the I.D. number, the business names, addresses, categories of establishments to be inspected and the scheduled date of inspections. The immediate supervisor of the inspector shall monitor the enforcement of the Mission Order.

3.3 Sanitary inspection conducted without a Mission Order is prohibited.

3.4 The operators of establishments shall report to the Health Officer or Chief of Sanitation Division/Section/Unit the unauthorized inspections that were executed.

4. AIDS TO INSPECTION

4.1 The sanitation inspector shall carry the following items during inspection:

- i. Sanitary Inspection of Food Establishment Form (EHS Form No. 103-A)
- ii. Clipboard
- iii. Thermometers (hot & cold)
- iv. Flashlight
- v. Metal Measuring Tape
- vi. Camera
- vii. Copies of Sanitation laws, regulations, standards and other reference materials needed in the inspection.
- viii. Field Bag
- ix. Also the following, if available:
 - Light meter
 - Water pressure gauge
 - Blacklight
 - Food & Drink Sampling Kit
 - Epidemiological kit

5. FREQUENCY OF INSPECTIONS

Table 7

FOOD ESTABLISHMENTS	FREQUENCY OF INSPECTION (Minimum Number of Inspection)
Class A	At least once every three months
Class B	At least once every two months
Class C	At least once a month
Markets	At least once a week
Other Food Establishments	At least once every six months

6. RECORDING OF INSPECTION

6.1 During the inspection or evaluation carried out as per frequency of inspection, the sanitary engineer/sanitation inspector shall record his findings on an inspection form (EHS Form No. 103-A) provided for the purpose.

6.2 The sanitary engineer/sanitation inspector shall furnish the original of such report to the holder of the Sanitary Permit, the manager or occupier of the premises.

6.3 Demerits entered in the appropriate column of the inspection form shall indicate that the item does not conform with the requirements of these rules and regulations.

i. The inspection form has twenty (20) items. Non-complying items are indicated with an (X). Every such item is weighted with a demerit of 5. The rating of the establishment is therefore 100 less (number of demerits \times 5). The result is expressed as a percentage (%) rating.

6.4 Sanitation Standard

i. The percentage rating has an equivalent Sanitation Standard as follows:

Table 8

PERCENTAGE RATING	SANITATION STANDARD	COLOR CODE
90 - 100%	Excellent	Luminous Green
70 - 89%	Very Satisfactory	Luminous Yellow
50 - 69%	Satisfactory	Red-Orange

- ii. Food Establishments with percentage rating below 50% shall be recommended for suspension of operation until compliance.
- iii. Sanitation Standard Rating Sticker (SSRS):
 - The SSRS (EHS Form No. 104-A/C) shall be posted in a conspicuous part of the food establishment, preferably at the door, for guidance of the customers.
 - The SSRS shall be renewed every time an inspection was conducted.

7. REPORT OF INSPECTION

- 7.1 The sanitary engineer/sanitation inspector who conducted the inspection shall complete the sanitary inspection report, and whenever an inspection form issued indicates non-compliance to items relating to any particular type of premises, the inspector shall notify the holder of the sanitary permit, the manager or occupier of the correction to be made and indicate a reasonable period for its compliance.
 - i. The Recommended Corrective Measures shall be specific in nature for the easy understanding of the owner or manager or occupier of the food establishment.
 - ii. Reasonable period for compliance or grace period shall be inclusive of Saturdays, Sundays and holidays.
- 7.2 The sanitary engineer/sanitation inspector who conducted the inspection shall likewise prepare a Sanitary Order (EHS Form No. 107) for approval by the city or municipal health officer or chief of the sanitation division or section or unit, as the case maybe.
- 7.3 Within 48 hours of the inspection or evaluation, the original of the inspection report (EHS Form NO. 103-A) and the Sanitary Order shall be furnished and

acknowledged by the holder of the permit certificate, the manager or occupier of food establishment.

- i. The inspection report shall be personally delivered, or
- ii. Mailing of Notice shall be sent through the postal service, registered with return card.

8. RE-INSPECTION

- 8.1 If upon re-inspection after the deadline, the sanitary engineer/sanitation inspector finds that correction has not been effected, he shall report to the health officer and the health officer shall recommend the revocation of the Sanitary Permit.
- 8.2 A copy of the inspection form and any notice served shall, in all cases be filed and kept by the local health office and be available for inspection by authorized officials.

b. SERVICE OF NOTICE

- 1. Whenever an inspection or evaluation form indicates non-complying items, the Health Officer of the city or municipality may cause to be served on the holder of the permit, the manager or occupier a notice (Sanitary Order) requiring him, within the time (grace period) stated in the notice, to take such remedial action as may be specified therein.
- 2. In the event of non compliance with the terms of the first Sanitary Order, the health officer may cause the issuance of a second notice to the holder of the permit, the manager or occupier.

2.1 Second Sanitary Order

- i. If the owner of the establishment needs additional time to comply with the first Sanitary Order, he shall request in writing prior to the expiration of the said Sanitary Order for an extension of the grace period to the city or municipal health authority. The second sanitary order shall then be subject to the approval of the local health authority.

2.2 Second Notice (Notice of Hearing: EHS Form No. 118)

- i. The Second Notice shall contain a call on the holder of the permit, the manager or occupier to show cause, at a time and place stated in the notice, why the permit issued to the food establishment shall not be revoked.

c. REVOCATION OF PERMIT

1. After prior notice and hearing as provided above, the health authority, if satisfied that the terms of the two notices have not been complied with or that failure to comply therewith is not excusable, shall recommend the revocation of the said permit, or;
2. After the second sanitary order on an extended grace period, a re-inspection was conducted and still the owner fails to comply with such order as reported by the sanitation inspector, the health officer shall recommend revocation of the sanitary permit without delay and shall inform other related agencies of the city or municipality of the revocation.
3. Lifting of suspension of permit maybe recommended whenever the owner of the establishment satisfactorily corrects the defects.
4. The establishment owner may file a motion for reconsideration to the health authority if he is not satisfied with the action of the city or municipal health officer.
5. The health authority may file court proceedings against any establishment continuously operating after the revocation of its permit.

d. SUMMARY SUSPENSION OF PERMITS

Whenever the Provincial, municipal or city health officer finds unsanitary or unhealthy conditions in the operation of a food establishment which in his judgement constitute a substantial hazard to the public health, the health officer may recommended the immediate suspension of the sanitary permit. Any person to whom such order is issued may file a

written petition and shall be afforded a hearing within hours.

e. APPEALS

The person or panel conducting the hearing may confirm, modify or reverse the decision appealed from which decision shall be final

f. POWER OF ENTRY

Any sanitation inspector or duly authorized officer of the Department of Health or of the Provincial, Municipal or City Health Offices, upon presentation of proper credentials may at all reasonable times enter into any premises engaged in the manufacture, preparation or packing of any article of food for sale or any premises used for any of the purposes referred to in these rules and regulations for the purpose of inspection or any other action necessary for administration of these rules and regulations.

1. Sanitary inspections shall be conducted by officials in accordance with Section 3, a of these rules and regulations.
2. Sanitary inspections shall be done preferably during the time while the food establishment is in operation.

SECTION 5: SPECIAL PROVISIONS

a. GROCERIES OR "SARI-SARI" STORES

1. Sanitary Permit

No person or entity shall operate groceries and sari-sari stores without a Sanitary Permit in accordance with Sec. 3 (a) of these rules and regulations.

2. Health Certificate

The employees of groceries and sari-sari stores who handle food or food products shall be required to secure a health

certificate in accordance with Sec. 3, (b) of these rules and regulations.

3. Sanitation Requirements

3.1 No grocery or sari-sari store shall be established within a distance of 25 meters from any source of contamination such as garbage dumping site, cesspools, lagoons, poisonous chemical plants, manufacturing plants, sewage treatment plants and the like.

3.2 All food which require no further cooking shall be kept in counters or showcases or other similar devices to protect them from contamination.

3.3 Processed foods such as hotdogs, ham and other readily perishable foods offered for sale in the sari-sari stores shall be refrigerated and maintained in proper temperature (7°C) to prevent food spoilage and contamination. Groceries or sari-sari stores where canteens or bakeries or other categories of food establishments are being operated shall conform to the requirements governing such establishments.

3.4 Bulk storage and packaging room shall comply to the structural requirements of Sec. 3, (e) of these rules and regulations.

3.5 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.

4. Floor Space Requirements

4.1 Groceries shall have a floor area of not less than fifteen (15) square meters, inclusive of toilet and handwashing facilities.

4.2 Sari-sari stores shall have a floor area of not less than eight (8) square meters, inclusive of toilet and handwashing facilities:

D. BAKERIES

1. Sanitary Permit

No person or entity shall operate a bakery without a sanitary permit in accordance with Section 3, (a) of these rules and regulations.

2. Health Certificate

Employees in bakeries, delivery trucks who handle or come in contact with bakery products and materials shall be required to obtain a health certificate in accordance with section 3, (b) of these rules and regulations.

3. Sanitation Requirements

3.1 Food Material Source

i. Baking materials such as flour, baking powder, cream, etc. shall be obtained from safe and approved sources.

ii. 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.

3.2 Store Rooms/Cabinets/Compartments

i. A separate damp-free room or compartment shall be provided for the storage of flour in bulk, in sacks or multiwall bags.

ii. A separate storeroom or cabinet or compartment shall be provided for butter, margarine, cooking fats, dried fruits, jam, egg powder, milk, flavoring and coloring substances and other articles of food or ingredients used in baking.

iii. No person shall store or keep at the store rooms or cabinets or compartments, any foodstuffs, chemicals and other toxic substances and contaminants.

- iv. The store room shall be insect and rodent-proof, properly lighted and ventilated.

3.3 Preparation

- i. Trays, bins and other appliances if fixed shall be placed and fitted so as to leave no place below or at its sides or at the back which cannot be readily inspected and cleaned.
- ii. Movable appliances shall all be fitted with wheels, coasters, or other suitable fittings to facilitate removal for cleansing purposes.
- iii. No food shall be placed in the ground or in the floor other than a table, pallet, rack or shelf which shall not be less than 20.3 cms. (8 inches) above the ground or floor level.
- iv. All cream-filled or custard-filled pastries shall be prepared and handled in accordance with the following requirements:
 - Pastry fillings shall be placed in shells, crusts, or other baked goods either while hot (not less than 60°C or 140°F) or immediately following preparation, if a cold process shall be used;
 - Such fillings and puddings shall be refrigerated at 7°C (45°F) or below in shallow pans, immediately after cooking preparation, and held thereat until combined into pastries or served;
 - All completed custard-filled and cream-filled pastries shall, unless served immediately following filling, be refrigerated at 7°C (45°F) or below promptly after preparation, and held thereat pending service;

- i. The floor area shall not less than 9.3 sq. m. (100 sq. ft) and in no case be less than 3.06 sq. m. (33 sq. ft.) for each person working thereat cleared of all furniture, fittings and stored goods.
- ii. The portion of the floor immediately in front of every baker's oven that is heated by means of solid fuel shall be made with cement concrete finished smoothly with cement mortar, tiles or other even and non-flammable materials for a distance of not less than 1.83 m. (6 feet) from the oven.
- iii. Oven shall be constructed or installed as to enable the top or side to be readily inspected or cleaned or so cased as to prevent the accumulation of rubbish on the top or sides thereof.

3.5 Display

- i. No person shall place or display or remove from any bakery, bakehouse, cake kitchen any bread, cakes, pastries, bakers small goods or sandwiches and other similar food for sale unless all such foods are adequately protected from rain, dust, flies and other contaminants.

3.6 Transport of Bakery Products

- i. 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.
- ii. All crates and other containers used for the delivery of bread or bakers small goods from bakeries or bakehouses to retail premises shall be cleaned and sanitized at such intervals as necessary to keep in

a clean and sanitary condition. Such crates or containers shall be stored as to protect them from contamination.

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

- They shall be completely enclosed and the interior wall and shall be made of smooth, impervious and easily cleanable materials.

c. DAIRIES

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

1.1 The certification of a licensed veterinarian shall be required as to the health status of the cow, carabaos or goats producing milk.

1.2 The existing sanitation standard of the Department of Health with regards to the sanitation of dairy barns, stable or parlor is being adopted and made part of these rules and regulations.

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.

3.1 The health officer shall control free-lance individuals from retail selling cottage cheese and milk coming from their cows, carabaos or goats and bottling them, pasteurized or not pasteurized, unless such products are coming from licensed dairy outlets.

d. ICE PLANTS

1. Sanitary Permit Requirements

No person or entity shall operate an ice plant without securing a sanitary permit in accordance with Section 3, (a) of these rules and regulations.

2. Health Certificate Requirements

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 Section 3, (b) of these rules and regulations.

3. Sanitation Requirements

The construction and operations of an ice plant shall conform with the standards prescribed by the Department of Health:

3.1 No establishment of this kind must be constructed 25 meter from sources of contamination.

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

i. The floors shall be constructed of concrete and easily cleaned material and shall be adequately graded and drained.

ii. The walls at all rooms in which ice is manufactured, processed, packaged and stored shall be of impervious, non-absorbent material to a height of not less than 2 meters (79 inches) from the floor and constructed of dust proof materials and maintained in a clean and sanitary condition.

iii. All ceilings shall be smooth, non-absorbent and dust-proof.

- iv. There shall be at least 10 foot candles of light in all rooms except for the storage room which requires 5 foot candle only.
 - v. There shall be sufficient ventilation for all rooms to ensure sanitary conditions.
- 3.3 No person afflicted with communicable disease shall work in any area of an ice plant.
- 3.4 All employees shall wear clean protective garments and shoes and conform with hygienic practices while on duty.
- 3.5 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.
- 3.6 Water Supply
- i. Water supply shall be potable and from approved public or private water supply system.
 - ii. All water filters, settling tanks and other treatment facilities shall be cleaned as often as necessary to keep them operational and in a sanitary condition.
- 3.7 Liquid waste shall be disposed in public sewers, or other approved disposal system.
- 3.8 Plumbing
- i. All plumbing shall be sized, installed and maintained in accordance with the National Plumbing Code of the Philippines.
 - ii. The potable water system shall be installed in such a manner as to preclude the possibility of backflow into the system.
 - iii. Soil, waste or drain pipes shall be so isolated, installed and maintained as not to constitute a source of

contamination of ice, utensils or equipments, or create an insanitary condition or nuisance.

3.9 Air for Agitation

- i. Air used for water agitation shall be filtered or otherwise treated to render it free from dust, dirt, insects and extraneous material. Filters shall be removable for cleaning or replacement.
- ii. The blower or compressor for supplying air for water agitation shall be designed so as to deliver oil-free air. Oil-free air may be produced by one of the following methods or its equivalent.
 - a. Use of carbon ring piston compressor.
 - b. Use of an oil-lubricated compressor with effective provision for removal of any oil vapor.
 - c. High pressure water-lubricated or non-lubricated blowers.

4. Sanitary Facilities

- 4.1 Ice contact surfaces, including loading platforms, conveyors and chutes shall be easily cleaned and shall be kept clean and in good condition.
- 4.2 Freezing tank covers shall be of 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.
- 4.3 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.
- 4.4 Air pipes, and coring or sucking devices shall be used as needed to produce a product free of rust or other foreign materials.

4.5 Toilet and hand washing facilities

- i. Adequate, clean and conveniently located toilet facilities shall be made available to all employees.
- ii. Toilet rooms shall be completely enclosed, with tight facilities shall be made available to all employees.
- ii. Toilet rooms shall be completely enclosed, with tight fitting and self-closing doors.
- iii. Adequate hand washing facilities shall be provided within or adjacent to the toilet rooms.
- iv. Facilities shall include hot and cold running water; single service paper or cloth towel dispenser or drying device and soap or detergent in receptacles placed nearby.
- v. Personnel of the establishment shall be provided with lockers and working garments.

5. Operation

- 5.1 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.
- 5.2 Operators shall provide sufficient equipment and utensils to process, handle and transport ice in a clean and sanitary manner. The equipment and utensils shall be sanitized after every use.
- 5.3 Garbage or trash shall be temporarily stored in containers with tight covers and collected on time scheduled by the municipal or city collection system, or by private collection system.
- 5.4 All ice blocks shall be thoroughly washed with potable water as they come in contact with delivering platform prior to distribution.

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

6. Transportation of ice

- 6.1 In transporting or delivering ice intended for public consumption, precautionary measures shall be taken to protect the ice from any source of contamination.
- 6.2 Vehicles used for transporting or delivering ice shall be of closed construction with tight fitting covers.
- 6.3 The ice compartment of vehicles used in transporting or delivering ice shall be of easily cleanable materials and shall be kept clean and in good repair.
- 6.4 All vehicles hauling packaged or unpackaged ice shall be thoroughly washed immediately prior to loading of ice.

e. AMBULANT FOOD VENDORS

1. Ambulant food vendors shall sell only bottled drinks, biscuits and confectioneries, and other pre-packed foods.
2. It is prohibited for ambulant food vendors to sell food that requires the use of utensils.

f. OYSTER BEDS

1. Oysters shall be planted and grown only in areas approved by the Secretary of Health 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.
3. For broader coverage of this topic to include all other shellfish, the model ordinance "Shellfish Sanitation Code" is recommended as basis or reference in promulgating and passing a local ordinance by city or municipality concerned.

g. FISH MARKETING AREAS

1. Only fresh and wholesome fish products shall be sold.
 - 1.1 Fresh fishes are those sold live or in ice. Ice used to preserve fish should be of the approved quality as per the Department of Health standard.
 - 1.2 Freshness and wholesomeness of fish shall be determined by the use of senses such as visual, touch and smell.
 - 1.3 Notwithstanding the above, fish shall come from approved and non-polluted sources which may include oceans, estuaries, harbors, surface waters such as rivers, streams, lakes, ponds, lagoons, aquaculture fish ponds, etc.
 - 1.4 Requirements as to the transport, containers, wrapping, packaging, utensils and equipment, food contact surfaces, display, storage, preparation and handling of perishable foods of these rules and regulations shall be applied herein.
2. Fish caught in radioactive zone 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, buying and consumption of fish caught through the use of explosives and chemicals are prohibited.

SECTION 6: CLASSIFICATION OF FOOD ESTABLISHMENTS

a. CLASSIFICATION OF FOOD EATING AND DRINKING ESTABLISHMENTS INTO CLASS A, CLASS B, AND CLASS C

1. Class A

The percentage rating shall not be lower than 90% and shall conform with the requirements of the preceding sections.

2. Class B

The percentage rating shall not be lower than 70% and all those which failed to comply with one or more minor requirements for Class A.

3. Class C

The inspection rating shall not be lower than 50% and all those who have violated one or more important items of sanitation requirements of public health importance of these rules and regulations. Class C establishments are permitted to operate only for a temporary period to be determined by the local health officer. Those below 50% shall be subject to cancellation of permit.

4. Class A food establishments found during two successive inspection to have failed to meet Class A requirements shall be degraded to Class B or C as the case maybe.

5. On the other hand, Class B or C establishments who has complied with Class A requirements may apply for upgrading or classification using EHS Form No. 111.

6. On receipt of such application, the city or municipal health officer shall cause an inspection of the premises and shall subsequently issue the appropriate classification placard of the establishment upon payment of the Food Establishment Classification Fee, the amount of which shall be set through local ordinance; or inform the applicant of any improvement or work which shall be carried out to meet the full requirements of the higher classification as the case maybe.

b. SPACE AND FACILITIES

1. Food establishments, aside from complying with the requirements of the preceding sections, shall also conform with the following requirements:

1.1 The minimum seating capacity for Class A restaurants shall be 50, 30 for Class B and 10 for Class C.

1.2 Two or more customers may request and shall be allocated a separate table and no other customer shall be

placed at such table unless by agreement of those actually seated there.

1.3 The furniture, furnishing and equipment shall be of good quality and maintained in good condition.

1.4 Tables shall be covered with cloth which shall be maintained at all times in a clean condition. Table napkins shall be available and every customer shall be provided with a freshly laundered table napkins. (Optional for Class C which may use paper napkin).

1.5 The area of the room used exclusively for dining shall be sufficient to provide reasonable space for comfortable dining and such space shall be not less than 1.11 sq. m. (12 sq. ft.) per customer per place. (not applicable to Class C).

i. The floor area of the dining room shall be completely covered with high grade quality carpet; provided that alternative suitable floor coverage to the satisfaction of an inspector may be permitted in any particular case such as marble, wood parquet, vinyl tiles, etc. (Compulsory requirement for Class A and recommended for Class B and C.)

c. ANTEROOM

1. Where customers are likely to remain in the premises for a longer period than one hour, a suitable lounge, reception room or foyer shall be provided for Class A and B establishments and shall be well furnished to seat not less than one sixth of the maximum number of customers, suitable facilities shall be available for storing cloaks, hats, raincoat, umbrellas and the like.

d. SANITARY CONVENIENCE FOR THE USE OF CUSTOMERS SHALL BE PROVIDED IN ACCORDANCE WITH THESE RULES AND REGULATIONS.

e. DANCING

1. Where dancing is authorized in the premises or in any specific part of the premises, the area allocated for that purpose shall not exceed one half of the area allocated for dining.

f. SERVING OF MEALS

1. Lunch shall be provided on Class A and Class B establishments of not less than five (5) days in each week, and dinner of not less than 6 days in each week, between the following minimum hours:

Lunch : 12:00 noon and 2:30 p.m.

Dinner: 6:00 p.m. and 8:00 p.m.

g. AIR CONDITIONING

1. The premises shall be equipped with sufficient number of appliances so that at all times, the temperature and humidity may be maintained at a level so as to provide comfortable and healthy conditions that pass sanitation standards.

2. Air conditioning of at least the dining area is compulsory for Class A and B establishments.

3. Areas which are 915 meter (3000 ft.) above sea level in elevation are exempted to this requirement.

h. PUBLIC DISPLAY OF CLASSIFICATION PLACARD

1. The placard shall be posted conspicuously in the public part of the establishment.

2. If an inspection of a Class A food establishment reveals that the premises are not being maintained in accordance with, or fail to meet any of the requirements of these rules and regulations:

2.1 The holder of the sanitary permit shall be notified by the health officer in writing of the action necessary to remedy any defects.

- 2.2 Such defects shall be corrected within 14 days of the service of the notice or the placard removed from the premises.
3. No person shall display any placard indicating the premises meeting the requirements for a Class A food establishment:
 - 3.1 Without the permission of the local health officer in writing;
 - 3.2 No person shall display any such notice and must remove the placard accordingly after being notified by the local health officer that the premises do not meet the standard for Class A food establishments.
4. No establishment shall use "Class A" or "Grade A" as their name or calling to preclude misleading the public on the classification of the food establishment.

SECTION 7: OPERATION OF CATERERS AND CATERING ESTABLISHMENTS INCLUDING CENTRALIZED KITCHENS OR BULK FOOD PREPARATION ESTABLISHMENTS OF FASTFOODS AND RESTAURANTS.

a. SANITARY PERMIT

Provisions of Section 3, (a) of these rules and regulations shall apply herein.

b. HEALTH CERTIFICATE

Provisions of Section 3, (b) of these rules and regulations shall apply herein.

c. SANITATION REQUIREMENTS

Compliance with all the applicable requirements embodied in Sections 3 and 4 and these rules and regulations shall apply herein.

d. FOOD CONTAINERS

All containers used to store, keep or hold food and drink for transportation from any caterer's premises or centralized kitchen

or bulk food preparation establishments, to any site or food outlets designated by the customers or concessionaires for consumption, shall be of the following approved type:

1. Container for liquid and semi-liquid foodstuffs, food with gravies or sauces or the like, shall be leak proof, and each provided with an adequate type of cover which will prevent the contents from spilling over and from being contaminated while in transit.
2. Containers for other foods, sandwiches, cakes and other pastry products shall be completely enclosed or sealed so as to prevent the possibility of any contamination. Such foodstuffs maybe individually wrapped or packaged.
3. Disposable or single-service articles for food shall be placed in containers designed for the purpose or fully wrapped and packaged in the same manner as being done for foodstuffs.
4. All containers shall not be composed in whole or in part of any poisonous or deleterious substance which may render the contents injurious to health.

e. WEIGHING SCALES

1. Weighing scale shall be properly calibrated and kept free from dirt, dust and blood stains from meat/fish.
2. Meat/fish shall not be placed directly on the weighing scale. A container/wrapper for such meat/fish shall be used during weighing.

f. TRANSPORT VEHICLES

1. All vehicles used by the caterer for the transportation of food, food products, wrapping and packaging materials shall be constructed and operated so as to protect their contents from contamination.

2. Vehicles carrying readily perishable foods shall be provided with refrigeration equipment to maintain a temperature not higher than 7°C (45 °F) throughout the trip to its destination. Provisions of Section 3, (j) of these rules and regulations shall apply herein.
3. All vehicles shall be kept clean, and no substance capable of contaminating the food or food products shall be transported with the food or food products in such a manner as to permit contamination.

g. OTHER FOOD DELIVERIES

1. All other deliveries of food and food products from a food source to the food outlets shall be covered by these rules and regulations and subject to the inspection and approval of the local health office having jurisdiction on the area of origin of the food or food products in so far as the containers and vehicles are concerned.
2. Local health offices concerned at the receiving point of deliveries may also conduct inspection of the containers and vehicles and findings referred to the counterpart health office as mentioned above.
3. All inspections shall be covered by a Mission Order as discussed under Section 4, (a), (3) of these rules and regulations.

SECTION 8: REQUIREMENTS FOR THE OPERATION OF FOOD BOOTHS, STALLS, CARTS, ETC. IN CARNIVAL, FAIRS, AND THE LIKE

a. TEMPORARY SANITARY PERMIT

1. No person or entity shall operate a food booth, stall, cart, or similar trade inside carnivals, fairs and the like, without securing a temporary sanitary permit from the local health office having jurisdiction on the area.
2. All temporary sanitary permit shall be valid during the duration of the fair but in no case shall exceed three months.
3. Fees, noting of permit, record of permit certificate shall be the

regulation.

b. HEALTH CERTIFICATE REQUIREMENTS

Provisions of Section 3, (b) of these rules and regulations shall apply herein.

c. SANITATION REQUIREMENTS

1. The food booths, stalls, carts or similar trade shall be so constructed that food, drinks, utensils and equipment not be exposed to insects, dust and other contaminants.
2. They shall be located in clean surroundings and kept in a clean sanitary conditions.
3. Only food and drinks which are clean, wholesome and free from adulteration shall be sold and served.
4. Adequate supply of water of safe quality and suitable sink shall be easily available and used for cleaning utensils and equipment.
5. Only single-service containers, wrapping and packaging materials and utensils shall be used in serving or selling of food and drinks.
6. All food booths and the like shall be provided with proper storage and holding facilities to maintain the food or drinks hot or cold as the case maybe. Adequate provision shall be made for refrigeration or equivalent of readily perishable foods and drinks at 7°C (45°F) or lower. On the other hand, cooked food, including gravies and sauce, which are intended to be served with the food hot, shall be kept at a temperature not lower than 60°C (140°F).
7. Ice shall come from approved sources, and so stored and handled as to avoid contamination.
8. All garbage and rubbish from the booths, stalls, carts shall be kept in tight receptacles. Refuse containers shall also be available on the grounds of the carnivals or fairs at strategic locations.
9. Waste water and other liquid wastes shall be disposed off in a sanitary manner so as not to create nuisance.

10. Adequate containers for hand-drying device, shall be readily accessible to those working in the food booths and like. The provision of Section 3, (f), (2) of these rules and regulations shall be applicable herein.
11. Bottled and packaged drinks shall not be submerged in the cooling water. The cooling containers shall be kept clean and sanitary.
12. Water to be used in the preparation of tea, coffee, chocolate and other instant food drinks shall be prepared from safe and potable water. Sugar and cream shall be individually wrapped or served from sanitary dispensers.
13. Food booths and the like shall be well lighted particularly during night operations. The use of colored lights in displayed foods and drinks is prohibited so as not to misrepresent the true quality of product offered for sale.
14. Food booths, etc. shall be disinfected weekly, the procedure of which shall be approved by and through the supervision of the local health office.
15. The design and construction materials to be used and the proposed location of food booths, stalls, carts and the like shall be subject to the approval of the local health office concerned.

SECTION 9: REQUIREMENTS FOR FOOD DRINK VENDING MACHINES

a. SANITARY PERMIT REQUIREMENTS

1. No person shall operate a food/drink vending machine without securing a sanitary permit from the local health office.
2. The local health officer may in writing, exempt a food establishment from securing a sanitary permit for the vending machine when the same is located or part of the operation of the food establishment. The class of vending machine shall be specified in the exemption form.
3. Vending machines shall be registered only in the name of the operator.

c. SANITATION REQUIREMENTS

Provisions of Section 3, (b) of these rules and regulations shall apply herein.

c. SANITATION REQUIREMENTS

1. The vending machines shall be so constructed that food/drinks will not be exposed to contaminants.
2. Only approved type of single service or disposable articles, wrapping or packaging materials shall be used in the vending machines.
3. A person shall not install or use a food/drink vending machine in, at or on premises or any other place or any vehicle other than the premises, place or vehicle approved by the local health office.
4. Proper temperature of the food/drinks stored in the vending machines shall be maintained.
5. The food/drink vending machine shall be maintained in a clean, serviceable and sanitary condition, free from objectionable odor, animals, or vermin.

SECTION 10: RESPONSIBILITIES OF THE LOCAL HEALTH AUTHORITY

The Local Health Authority shall:

- a. Make periodic inspection in accordance with these rules and regulations to enforce the maintenance of adequate sanitation in food establishments and their premises.
- b. Take samples of food and drinks from any establishments or vendors as often as necessary to determine unwholesomeness, adulteration, contamination or spoilage, or contamination by radioactivity:
 1. Whenever the quality of food, foodstuffs or food products or drinks are doubtful and/or suspected to be unfit for human consumption, the local health officer of the sanitary inspector shall collect samples of the food, foodstuffs, food products or drinks for laboratory examination. After the collection of samples, the health officer shall issue an Official Receipt (EHS Form No. 113) to the owner and a temporary Order to prevent

the sale of such foods. Lifting of the Order shall be issued based on the result of the laboratory examination;

2. The sample shall be submitted for laboratory examination as soon as possible on the day it is collected;
 3. When and if the laboratory examination proves that the food, foodstuffs, food products or drinks are unfit for human consumption, the local health officer or the sanitation inspector shall take necessary administrative procedure and confiscate those food and foodstuffs in an approved manner;
 4. Whenever the local health officer or the sanitation inspector finds that the food or food materials is proven to be contaminated, spoiled or from an unsafe source and will endanger public health, he shall immediately prevent the sale or condemn and destroy the food and drinks in question.
- c. Seal and prohibit the use of devices, utensils, containers, vehicles, machines, pipings and appurtenances, if in his opinion, they are insanitary, and
 - d. Enforce the provisions of these rules and regulations.

SECTION 11: PENAL PROVISION

- a. Any person who shall violate, disobey, refuse, omit or neglect to comply with any of the provisions of these rules and regulations shall be guilty of misdemeanor and upon conviction shall be punished by imprisonment for a period not exceeding six (6) months or by a fine not exceeding P1,000 or both depending upon the discretion of the court.
- b. Any person who shall interfere or hinder, or oppose any officer, agent or member of the Department of Health or of the bureaus and offices under it, provincial, city or municipal health officers, sanitary engineers and sanitation inspectors in the performance of his duty as provided for under these rules and regulations, or shall tear down, mutilate, deface or alter any placard, or notice, affixed to the premises in the enforcement of these rules and regulations shall be guilty of misdemeanor and punishable upon conviction by imprisonment for a period not exceeding six (6) months or by a fine not exceeding P1,000 or both depending on the discretion of the court.

SECTION 12: SEPARABILITY CLAUSE

In the event that any rule, section, paragraph, sentence, clause or work of these rules and regulations is declared invalid for any reason, the other provisions thereof shall not be affected thereby.

SECTION 13: REPEALING CLAUSE

All pertinent rules and regulations which are inconsistent with the provisions of these rules and regulations are hereby repealed or amended accordingly.

SECTION 14: EFFECTIVITY

These rules and regulations shall take effect after fifteen (15) days from date of publication in the official gazette or a newspaper of general circulation.

Approved on this 29th day of December nineteen hundred ninetyfive.


HILARIO J. RAMIRO, JR., M.D., M.H.A.
Secretary of Health

Date of Publication: February 23, 1996
Manila Standard
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