

Item No.: 04
Date: 27 2024 AUG

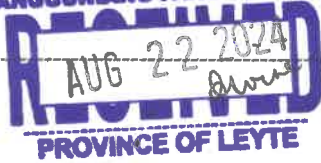


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City



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SANGUNIANG PANLALAWIGAN



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 20, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 101-24 of the Sangguniang Bayan of Leyte, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 101-24 entitled: **“An Ordinance Strengthening the Implementation and Monitoring of R.A 8172, Otherwise known as An Act Promoting Salt Iodization Nationwide (ASIN) and for Related Purpose in the Municipality of Leyte.**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 16¹-General Welfare Clause and Section 447(1)(iii)² of the Local Government Code of 1991(R.A 7160). Hence, recommending for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

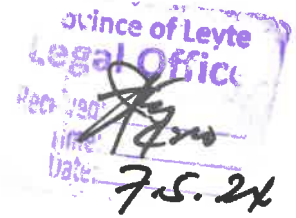
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

¹ Section 16 Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government unit shall ensure and support, among other things, xxx promote health and safety xxx

² Approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos (2,500.00) xxx

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
05 July 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 101-24** of the **Municipality of LEYTE, LEYTE**, entitled: **An Ordinance Strengthening the Implementation and Monitoring of RA 8172, Otherwise Known as An Act Promoting Salt Iodization Nationwide (ASIN) and for Related Purpose in the Municipality of Leyte.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF LEYTE
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Office of the Sangguniang Bayan

1st ENDORSEMENT
July 4, 2024

Respectfully forwarded to the Honorable Sangguniang Panlalawigan in session, through the Sangguniang Panlalawigan Secretary, Province of Leyte, Palo, Leyte, the herein **Municipal Ordinance No. 101-24 Entitled "AN ORDINANCE STRENGTHNING THE IMPLEMENTATION AND MONITORING OF RA 8172, OTHERWISE KNOWN AS AN ACT PROMOTING SALT IODIZATION NATIONWIDE (ASIN) AND FOR RELATED PURPOSE IN THE MUNICIPALITY OF LEYTE.**

Attached herewith are the following :

1. Municipal Ordinance No.101-24
2. Certificate of Posting


VILMA D. COMBATE
SB Secretary



Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E
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Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION BY THE SANGGUNIANG BAYAN HELD ON JUNE 3, 2024 AT THE SB SESSION HALL, MUNICIPAL BUILDING, LEYTE, LEYTE

Present:

- | | |
|------------------------------------|-----------------------------------|
| Hon. Armando M. Ysidoro, ----- | Mun. Vice Mayor/Presiding Officer |
| Hon. Paquito D. Pelipel, Jr. ----- | SB Member |
| Hon. Lileth I. Gatchalian, ----- | -do- |
| Hon. Edward Jay A. Durante, ----- | -do- |
| Hon. Rowil G. Batan, ----- | -do- |
| Hon. Aida A. Delantar, ----- | -do- |
| Hon. Alex A. Dagandan, ----- | -do- |
| Hon. Eulogio E. Capacio, ----- | -do- |
| Hon. Gualberto G. Meracap, ----- | -do- |
| Hon. Jerry G. Apacible, ----- | Liga ng Mga Barangay President |
| Hon. Nellie Grace D. Dandan, ----- | SK Fed. President |



MUNICIPAL ORDINANCE NO. 101-24

Author: Hon. Edward Jay A. Durante

AN ORDINANCE STRENGTHENING THE IMPLEMENTATION AND MONITORING OF RA 8172, OTHERWISE KNOWN AS AN ACT PROMOTING SALT IODIZATION NATIONWIDE (ASIN) AND FOR RELATED PURPOSE IN THE MUNICIPALITY OF LEYTE.

Be it ordained by the Sangguniang Bayan of Leyte that:

SECTION 1. TITLE – This Ordinance shall be known as “Strengthening the ASIN Law and Organizing Leyte, Leyte Bantay Asin Task Force.”

SECTION 2. DECLARATION POLICY – It is a declared policy of the local government unit (LGU) to promote the health of the people, to maintain an effective food regulatory system, and to provide the entire population, especially women and children with proper nutrition. For this purpose, this local government unit shall promote food fortification to combat micronutrient malnutrition, particularly iodine deficiency disorders, as a priority health and nutrition program.

Further, Republic Act No. 8172 or the Act for Salt Iodization Nationwide (ASIN), enacted into law in 1995, requires the iodization of all salt for human and animal consumption. Specific reference to LGUs in RA 8172 and its Implementing Rules and Regulations (IRR) are as follows:

- (a) **IRR Rule VI. Section 2. Roles.** To require LGUs, through their health officers and nutritionist-dietitians, or in their absence, through their sanitary inspectors, to check and monitor regularly the quality of food-grade salt being sold in their market in order to ascertain that such salt is properly iodized,
- (b) **SECTION 5.c.Applicability.** All food outlets, restaurants and stores are hereby required to make available to customers only iodized salt in their establishment upon effectivity of this Act. These establishments shall be monitored with the help of LGUs through its health officers and nutritionist-dietitians, or in their absence, the sanitary inspectors, to check and monitor regularly the quality of food-grade salt being sold or served in such establishments.

SECTION 3. PURPOSES - This Ordinance aims to strictly implement and monitor the distribution, sale, and use of adequately-iodized salt and organize an iodized salt monitoring team in the Municipality of Leyte.

SECTION 4. DEFINITION OF TERMS – For purpose of this Ordinance, the following terms and phrase shall mean:

- (a) Adequately-iodized salt – ordinary salt with fortificant potassium iodate (KIO3) and/or potassium iodide (KI) added consistent with the level of iodine prescribed by Food and Drug Administration (FDA), which at present is 30-70 mg/kg of iodine and could be modified in the future.
- (b) Bantay Asin Task Force (BATF) – a multi-sectoral working group organized at regional and local levels, with members from different government agencies and non-government organizations, which is responsible for the implementation of activities related to the Salt Iodization Program.
- (c) Food fortification – refers to the addition of nutrients to processed foods at levels above the natural state.
- (d) Food-grade salt – refers salt for human and animal consumption as distinguished from industrial salt; food-grade salt should be adequately iodized salt.
- (e) Food manufacturer - refers to establishment engaged in any and all operations involved in the production of food products including preparations, processing, filling, packaging, repacking, altering, finishing and labeling with the end in view of its storage, sale, or distribution. The business or enterprise of manufacturing or processing food using adequately salt in its products
- (f) Food service establishment – refers to hotels, restaurants, carinderias, catering firms, hospitals and related health facilities and institutions, canteens, food chain, street food outlets, and other similar outlets that serve or sell food to consumers.
- (g) Importer - one who buys salt outside the country either food-grade or for industrial use
- (h) Iodine deficiency disorders – a broad spectrum of manifestations resulting from insufficient stores of iodine in the body, which leads to maternal and birth abnormalities, and the reduction of intellectual and physical capacity affecting one who is iodine deficient and may manifest as miscarriage or stillbirth among pregnant women, goiter, mental retardation, physical and mental defects, or cretinism.
- (i) Iodized salt outlets – refers to the department stores, shops, supermarkets, groceries, mini-marts, drug stores, sari-sari stores, wet markets and other points of purchase that sell wholesale or retail iodized salt to consumers.
- (j) Industrial salt - refers to salt used in the treatment, processing and/ or manufacture of non-food commercial products, this salt need not to be iodized
- (k) Micronutrient malnutrition – a disorder resulting from deficiencies in vitamin A, iron, iodine and other micronutrients that the body needs in minute quantities every day
- (l) Salt industry – refers to the business sector engaged in the production, distribution, trading, retailing and importation of salt.
- (m) Salt iodization - the addition of iodine to salt intended for human and animal consumption in accordance with the specifications as to form, fortificant, method, manner, and composition as may be prescribed by FDA. Salt iodization continues to be the most efficient and effective strategy to prevent iodine deficiency.
- (n) Salt manufacturer - refers to establishment engaged in all operations involved in the importation or production of salt including preparation, processing, formulating, filling, packaging, repacking, altering, finishing, and labeling with the end in view of its storage, sale, or distribution.
- (o) Trader - refers to establishment engaged in buying and selling of food-grade salt by wholesale or retail

- (p) **WYD method** - refers to the salt testing method that quantitatively measures iodine content of salt. It uses an instrument called WYD Iodine Checker which, together with WYD solutions, quantitatively measures the salt iodine content based on calorimetric method.

SECTION 5. COVERAGE – The following establishment are covered by this Ordinance:

- (a) Entire salt industry including salt producers, manufacturers, re-packers, importers, traders, distributors, and retailers;
- (b) All food service establishment where food is being served or sold;
- (c) All food manufacturers or processors using iodized salt in their manufacturing processes; and
- (d) All iodized salt outlets which sell wholesale or retail iodized salt to consumers.

SECTION 6. ORGANIZATION AND COMPOSITION OF LEYTE, LEYTE BANTAY ASIN TASK FORCE”- The Municipal BATF is hereby organized with the following composition:

- Chairperson : Municipal Health Officer
- Co-chairperson : Market Administrator
- Members : Sanitary Inspector
Municipal Nutrition Action Officer
Municipal Nutritionist-Dietarian
Barangay Nutrition Action Officers
Barangay Nutrition Scholars
Representative from Business Permit and Licensing Office
School Health Coordinators – Elementary
School Health Coordinators – High School
NGO representative

SECTION 7. DUTIES AND FUNCTIONS OF THE LEYTE, LEYTE BANTAY ASIN TASK FORCE

- (a) Disseminate information on the health benefits of using adequately iodized salt;
- (b) Collect and test using the WYD method, or other quantitative or semi-quantitative methods, the salts sold in public markets, groceries, supermarkets, sari-sari stores, food establishment, including school, canteens, and salt from wholesales, retailers and other major salt suppliers, at least twice a year to determine iodine level;
- (c) Submit all salt testing results and findings, including records of violations to the Regional Bantay Asin Task Force, Office of the Mayor, and the Food and Drug Administration Regional Office; and
- (d) Monitor action on reports of salt testing results and pursue needed action for resolution.

SECTION 8. ADMINISTRATIVE PROVISIONS

- (a) Salt producers/ manufacturers shall register with FDA and ensure the food-grade salts they produce/ manufacture are adequately- iodized.
- (b) All food service establishment and iodized salt outlets in this municipality are hereby required to make available to customers only adequately-iodized salt in their establishments.
- (c) All food manufacturers or processors using food-grade salt are also required to use adequately-iodized salt in the processing of their products provided that the use of iodized salt shall not prejudice the quality and safety of their products.
- (d) The benefits of the use of iodized salt shall be disseminated and promoted through organized, systematic and effective information campaigns which shall involved major sectors of the community to be spearheaded by the Municipality Health Office.
- (e) This local government unit, through its Bantay Asin Task Force, shall check and monitor the quality food-grade salt being produced, sold or served in such establishments, at least twice a year.
- (f) The Municipality Health Office shall establish and maintain a list of all salt manufacturers, importers, re-packers, traders, and distributors within its territorial jurisdiction. A list of salt manufacturers, importers, re-packers, traders, and distributors in every province shall be

submitted to Regional FDA once a year, which shall maintain an updated registry of salt producers/ manufacturers and shall monitor compliance with the salt iodization program. The list shall reflect the following information per salt manufacturer, importer, re-packer, trader, or distributor.

- 1.) Name and address of company and/ or owner/ producer/ importer or distributor;
- 2.) Location of salt production site (sitios/ barangay) or warehouse;
- 3.) Annual production capacity (in metric tons) or importation;
- 4.) Types of salt produced/ imposed or distributed:
 - a) Food-grade salt (course or fine)
 - b) Iodized salt
 - c) non-iodized salt
- 5.) Distribution channels such as;
 - a) Direct selling to consumers within the municipality
 - b) Traders within the municipality
 - c.) Traders from other municipality
 - d.) Food manufacturers within the municipality
 - e.) Food manufacturers outside the municipality

SECTION 9. PENAL PROVISION - Any person who violates Section 8 of this Ordinance shall be penalized as follows:

(a) For iodized salt outlets, salt trader, food manufacturer and food service establishment:

1st offense – Reprimand letter or written warning from the Municipal Health Office

2nd offense – The offender shall, upon conviction by the Court, pay a fine of 1,500.00

3rd final offense – The offender shall, upon the conviction by the Court, pay a fine of 2,500 or an imprisonment of thirty days (30) or both such fine and imprisonment, and revocation of Mayor’s permit/ business license at the discretion of the Court.



SECTION 10. SEPARABILITY CLAUSE – If any portion of this Ordinance is declared by any court of competent jurisdiction to be invalid or unconstitutional, the remainder of this Ordinance shall not be affected or impaired by such declaration and shall remain valid and enforceable.

SECTION 11. REPEALING CLAUSE – All Ordinances, rules and regulations, or parts thereof in conflict or inconsistent with the provisions of this Ordinance shall be deemed repealed or modified accordingly.

SECTION 12. EFFECTIVITY CLAUSE – This Ordinance shall take effect immediately upon its approval and review of the Sangguniang Bayan.

ENACTED this 3rd day of June 2024, at Leyte, Leyte, Philippines.

PAQUITO D. PELIPEL, JR.
SB Member

ROWIL G. BATAN
SB Member

LILETH I. GATCHALIAN
SB Member

AIDA A. DELANTAR
SB Member

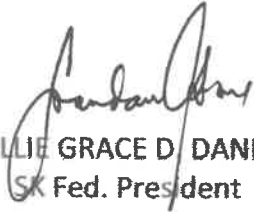
EDWARD JAY A. DURANTE
SB Member

ALEX A. DAGANDAN
SB Member


EULOGIO E. CAPACIO
SB Member


GUALBERTO G. MERACAP
SB Member


JERRY G. APACIBLE
LMB President


NELLIE GRACE D. DANDAN
SK Fed. President

Certified Correct:


VILMA D. COMBATE
SB Secretary

Attested:


ARMANDO A. YSIDORO
Municipal Vice Mayor
Presiding Officer

Approved:


ARNOLD JAMES M. YSIDORO
Municipal Mayor



Republic of the Philippines
MUNICIPALITY OF LEYTE
L E Y T E
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Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Municipal Ordinance No. 101-24: " AN ORDINANCE STRENGTHENING THE IMPLEMENTATION AND MONITORING OF RA 8172, OTHERWISE KNOWN AS AN ACT PROMOTING SALT IODIZATION NATIONWIDE (ASIN) AND FOR RELATED PURPOSE ON THE MUNICIPALITY OF LEYTE, has been posted in three (3) conspicuous places in this Municipality.

This certification is issued this 2nd day of July, 2024 at Leyte, Leyte, Philippines.


VILMA D. COMBATE
SB Secretary