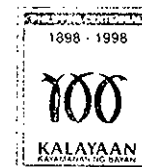




DEPARTMENT OF HEALTH
ENVIRONMENTAL HEALTH SERVICE
Manila, Philippines
1998



**IMPLEMENTING RULES AND
REGULATIONS OF CHAPTER XIX**

**“NUISANCES AND
OFFENSIVE TRADES
AND OCCUPATIONS”**

**OF THE CODE ON SANITATION
OF THE PHILIPPINES
(P. D. 856)**

Printed by the

Environmental Health Service
Department of Health

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**IMPLEMENTING RULES AND REGULATIONS OF CHAPTER XIX-
“NUISANCES AND OFFENSIVE TRADES AND OCCUPATIONS” OF
THE CODE ON SANITATION OF THE PHILIPPINES (P.D. 856)**

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Republic of the Philippines
Department of Health
OFFICE OF THE SECRETARY
San Lazaro Compound, Rizal Avenue, Sta. Cruz
Manila, Philippines
Tel. No. 7119502 Fax No. 7431829



30 April 1998

**IMPLEMENTING RULES AND REGULATIONS OF CHAPTER XIX -
"NUISANCES AND OFFENSIVE TRADES AND OCCUPATIONS" OF THE CODE
ON SANITATION OF THE PHILIPPINES (P.D. 856)**

To carry out the provisions of Chapter XIX - "Nuisances and Offensive Trades and Occupations" of the Code on Sanitation of the Philippines (P. D. 856), these rules and regulations are hereby formulated for implementation and strict compliance of all concerned.

SECTION 1. SCOPE

These implementing rules and regulations shall cover all establishments or entities and public or private premises:

- 1.1 All those that are likely to produce nuisances such as, but not limited to, the following:
 - 1.1.1 Public or private premises maintained and used in a manner injurious to health;
 - 1.1.2 Breeding places and harborage of vermin;
 - 1.1.3 Animals and their carcasses which are injurious to health;
 - 1.1.4 Accumulation of refuse;
 - 1.1.5 Noxious matter or wastewater discharged improperly in streets;
 - 1.1.6 Animal stockade maintained in a manner injurious to health;
 - 1.1.7 Excessive noise; and
 - 1.1.8 Illegal shanties in public or private properties.

limited to, the following:

- 1.2.1 Soap boiling;
- 1.2.2 Guts cleaning;
- 1.2.3 Boiling of offal, bone, fat or lard (Permissible if process is performed in a public slaughterhouse under prescribed regulations);
- 1.2.4 Manufacturing of glue or fertilizer;
- 1.2.5 Skin curing;
- 1.2.6 Scrap processing;
- 1.2.7 Manure storing;
- 1.2.8 Lime burning;
- 1.2.9 Lye making; and
- 1.2.10 Any manufacturing process in which lead, arsenic, mercury, phosphorous, or other poisonous substances is used (The use of such chemicals is permissible in the practice of pharmacy and in printing where ready-made lead types are used).

SECTION 2. DEFINITION OF TERMS

As used in these rules and regulations, the following terms shall mean:

- 2.1 **ABATTOIR OR SLAUGHTERHOUSE** - the establishment or premises used in the slaughter of food animals for human consumption.
- 2.2 **ANIMAL STOCKADE** - any land, building or structure used for the keeping, stabling, feeding, watering, grooming, shoeing, treatment of an animal, or any other veterinary purpose.
- 2.3 **CONSTRUCTION SITE** - any premises that are being used in connection with the erection, demolition or renovation of a structure.
- 2.4 **DEPARTMENT** - the Department of Health.
- 2.5 **DOMESTIC ANIMAL** - any animal, such as horse, cattle, swine, fowl, etc., which has been suppressed by man to live and breed in a tamed condition.

- 2.6 **ESTABLISHMENT** - a collective term construed to include all firms, institutions, entities, including its premises, facilities, equipment, machinery, which are engaged in production, handling, storing, transporting, selling, distributing, using, processing, and disposing any product or substance considered as a nuisance, or which are engaged in offensive trades and occupation.
- 2.7 **GUTS CLEANING** - cleansing, washing or scouring of bowels or entrails of fishes, poultry, mammals and other animals.
- 2.8 **HEALTH CERTIFICATE** - a certification in writing using the prescribed form issued by the local health officer to a person after passing the required physical and medical examinations and immunizations.
- 2.9 **LIME BURNING** - the process of burning limestone or shells.
- 2.10 **LIVESTOCK** - domestic animals used on a farm, especially those kept as food animals.
- 2.11 **LOCAL HEALTH AUTHORITY** - an official or employee responsible for the application of a prescribed health measure in a local political subdivision. For a province, the local health authority is the governor and for a city or municipality, the local health authority is the mayor.
- 2.12 **LOCAL HEALTH OFFICER** - the provincial, city or municipal health officer.
- 2.13 **LYE** - any strong alkaline solution used for cleansing purposes.
- 2.14 **LYE MAKING** - the process of producing lye from strong alkaline liquor that chiefly contains potassium carbonate.
- 2.15 **MANURE** - refuse from stables and barnyards, consisting of animal excreta with or without litter.
- 2.16 **MANURE STORING** - stockpiling or deposition of manure.
- 2.17 **NOISE** - means an erratic, intermittent, or statistically random oscillation, or any unwanted sound.
- 2.18 **NOXIOUS** - anything offensive to the human senses and/or tends to cause injury.
- 2.19 **NUISANCE** - anything that injures health, endangers life, offends the senses or produces discomfort to a person or group of persons.
- 2.20 **OBJECTIONABLE ODOR** - any odor present in the outdoor atmosphere which, by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life and property, or which creates a nuisance.

- 2.22 **OFFENSIVE TRADES OR OCCUPATION** - any trade or occupation that has the potential to cause damage to life and property, injury, pain, unpleasant or nauseating sensation or produces uneasiness and unbearable conditions to a person or group of persons.
- 2.23 **OPERATOR** - a person or group of persons who owns, leases, operates, manages, supervises, controls an establishment, its premises and facilities.
- 2.24 **PIGGERY** - refers to any parcel of land, building or other structure used for keeping, raising or breeding, depasturing, feeding or watering of swine.
- 2.25 **POULTRY** - refers to domesticated fowls, which serve as sources of eggs and meat for human consumption or any other purpose. It includes any species of fowl such as chicken, duck, goose, turkey, quail, pigeon or guinea fowl.
- 2.26 **PREMISE** - includes any land, building or other structure or part thereof.
- 2.27* **SANITARY ENGINEER** - a person duly registered with the Board of Examiners for Sanitary Engineers (R.A. 1364) who heads or works in the sanitation division/section/unit of the local health office or employed with the Department of Health or its regional health offices.
- 2.28 **SANITARY PERMIT** - the certification in writing by the local health officer or in his absence by the chief of the sanitation division/section/unit attesting that the establishment complies with the existing sanitation requirements upon evaluation or inspection conducted in accordance with Presidential Decrees Nos. 522, 856 and local ordinances.
- 2.29 **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 under the supervision of the local health officer/sanitary engineer.
- 2.30 **SCRAP PROCESSING** - recovering, preparing, treating, disinfecting, or other means of processing of discarded materials such as scrap metals, leftover food from slaughterhouses or food establishments, or any reusable solid or liquid.
- 2.31 **SECRETARY** - the Secretary of Health.
- 2.32 **SKIN CURING/TANNING** - an art or process by which a skin of an animal is exposed to the sun.

- 2.33 **SOAP BOTTLING** - the process of bottling, cleansing or emulsifying an agent that is made usually by the action of alkali on fats, fat acids and oil in boiling or cold process, consisting essentially of a mixture of water-soluble sodium or potassium salts of fat acids, and may contain other ingredients such as sodium carbonate or other builders, perfume, coloring agents, fluorescent dyes, disinfectants, or abrasive material.

- 2.34 **SOUND LEVEL METER** - means any instrument and its appurtenances used for the measurement of noise and sound level.
- 2.35 **STRAY ANIMAL** - animal/s not subject to the control and/or found in a place outside the premises of its owner.
- 2.36 **VERMIN** - a group of insects such as flies, mosquitoes, cockroaches, lice, ticks, and bedbugs, or small animals such as mice and rats that are vectors of diseases.
- 2.37 **VERMIN ABATEMENT PROGRAM** - a series of preventive and control procedures and activities in the control of vermin.

SECTION 3. SANITARY PERMIT

- 3.1 Establishments that are likely to produce a nuisance and/or engaged in offensive trades and occupations shall secure a sanitary permit (EHS Form No. 101) issued by the local health officer before they could operate.
- 3.2 Any extension or additional construction or alteration in the establishment shall require a new sanitary permit before it could operate.
- 3.3 **Application or renewal of sanitary permit**
- 3.3.1 The application or renewal of sanitary permit shall be filed with the local health office having jurisdiction over the establishment.
- 3.3.2 The sanitary permit shall be issued only upon compliance with at least a satisfactory rating utilizing the sanitary inspection of establishment (EHS Form No. 103-C).
- 3.4 **Fees.** The fees shall be paid to the local government unit upon application, renewal, and noting of sanitary permit. The amount of fees shall be set through local ordinance.
- 3.5 **Noting of Permit.** If there is a change in ownership or occupancy of this establishment, the new operator shall apply to the local health office to have such change noted in the records and permit certificate within fourteen (14) working days and shall pay the corresponding fee for such noting.

- 3.6 **Validity.** The sanitary permit shall be valid for one (1) year, starting on the day of issuance until the last day of December of the same year, and shall be renewed every beginning of the year thereafter.
- 3.7 **Revocation/Suspension.** 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 sanitary rules and regulations.
- 3.8 **Posting of Permit.** The sanitary permit shall be posted in a conspicuous place of the establishment for public information and shall be available for inspection by authorized health and other regulatory personnel.
- 3.9 **Record of Sanitary Permit.**
- 3.9.1 Every local health office shall keep a record of all establishments that have been issued a sanitary permit and renewal thereof.
- 3.9.2 The record shall in every case show the following:
- a. The name and address of the operator who shall in every case be the actual holder of the sanitary permit;
 - b. The location of the establishment;
 - c. The nature/kind of business for which the permit has been issued;
 - d. The date the permit was issued and the dates of any renewal thereof;
 - e. Every change of occupation or management of the establishment since the first permit was issued;
 - f. The sanitary conditions under which the permit was issued or any renewal thereof granted; and
 - g. The revocation of the sanitary permit.
- 3.9.3 The record shall be available at all reasonable times for inspection by any authorized officer of the Department of Health or local government unit.

SECTION 4. REQUIREMENTS FOR PERSONNEL

4.1 Health Certificate

- 4.1.1 The operator and employees of the establishment shall be required to secure a health certificate (EHS Form No. 102-B; cream in color) issued by the local health officer. The health certificate shall be issued only after the required physical and medical examinations and immunizations.

- 4.1.2 The health certificate shall be renewed at least once a year or as often as required by local ordinance.
- 4.1.3 The health certificate shall be clipped visibly in the upper left front portion of the uniform worn by the employee while working. When such condition is not practical due to the nature of work in the establishment, the health certificate shall be made available upon inspection.
- 4.1.4 Health certificates are non-transferable.
- 4.2 **Personal Health and Hygienic Practices**
- 4.2.1 Employees of the establishment shall at all times observe good personal hygiene such as, but not limited to, the following:
- a. Wearing of clean appropriate working garments;
 - b. Washing of hands with soap and water before and after working, after smoking, after using the toilet, after coughing, sneezing into hands or as often as necessary to remove dirt and contaminants; and
 - c. Other hygienic practices called for by the nature of work in the establishment.
- 4.2.2 Employees of the establishment shall observe personal health and safety practices at all times while working:
- a. No smoking of tobacco;
 - b. No drinking of alcoholic beverages;
 - c. No eating of any kind of food;
 - d. No spitting or blowing of nose;
 - e. No littering;
 - f. No unnecessary chatting or distraction; and
 - g. Other personal health and safety practices called for the nature of work in the establishment.
- 4.2.3 Workers suffering from a contagious or communicable disease shall be immediately reported to the operator and referred for treatment.

4.3 Personal Protective Equipment

Personal protective equipment shall be provided to and used by every worker in accordance with the provisions of Chapter VII - "Industrial Hygiene" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and shall be in accordance with the Occupational Safety and Health Standards formulated by the Department of Labor and Employment under the Labor Code of the Philippines.

SECTION 5. SANITARY FACILITIES REQUIREMENTS

5.1 Water Supply

5.1.1 The drinking water supply for establishments covered under these implementing rules and regulations shall conform with Chapter II - "Water Supply" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and the Philippine National Standards for Drinking Water.

5.1.2 Sources either from private or public water supplies shall be capable of supplying the minimum daily water demand of forty (40) liters per capita per day and an adequate pressure of 138 Kpa (20 psi).

5.2 Food and Drinks

All food and drinks handled, stored, prepared, or served in the establishment or within its premises shall conform to the pertinent provisions of Chapter III - "Food Establishments" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

5.3 Sewage Disposal and Drainage

5.3.1 All sewage, stormwater and wastewater shall be discharged in a manner complying with Chapter XVII - "Sewage Collection and Disposal, Excreta Disposal and Drainage" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

5.3.2 The effluent quality to be discharged from the establishment shall meet the minimum standards and requirements set by the Department of Environment and Natural Resources and all other concerned regulatory agencies.

5.3.3 The plumbing system of the establishment shall be in accordance with the pertinent provisions stated in the National Plumbing Code of the Philippines.

5.4 Solid Waste Management

All refuse including animal litter and manure, animal waste food products, and other waste matter shall be disposed of in accordance with the provisions stated in Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations, all other pertinent laws and rules and regulations set by other concerned agencies, and local ordinances.

5.5 Vermin Control

5.5.1 The operator of the establishment shall maintain a vermin abatement program which shall conform to Chapter XVI - "Vermin Control" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

5.5.2 During vermin control operations, all foods including food preparation equipment and feeds for animals shall be covered to protect it from contamination. Likewise, all animals shall be protected from toxic chemical substances.

5.6 Toilet, Bath and Handwashing Facilities

5.6.1 The sanitary facilities shall be located within a distance of 25 meters (82 feet) of the service area.

5.6.2 Adequate number of plumbing fixtures shall be afforded to all persons in the establishment. The minimum appurtenances shall be as follows:

TABLE 1. MINIMUM NUMBER OF PLUMBING FIXTURES FOR EMPLOYEES

No. of Persons	Water Closet		Urinal	Lavatory		Shower
	Male	Female	Male	Male	Female	
1 - 29	1	1	1	1	1	1 shower for each 15 persons exposed to excessive heat or to skin contamination with poisonous material
30 - 49	1	2	2	2	2	
50 - 99	2	3	2	3	3	
For each additional 60 persons	1	1	1	1	1	
One (1) additional fixture unit shall be provided for differently-abled employees						

5.6.3 Separate clearly marked toilet rooms for male and female shall be provided.

5.6.4 A minimum toilet or bathroom area of 1.20 square meters with a minimum dimension of 0.90 meter shall be provided.

5.6.5 Toilets and bathrooms shall be properly located, lighted, and ventilated.

- 5.6.6 Proper maintenance of toilets and bathrooms shall be done regularly.
- 5.6.7 Toilet paper and/or paper holders, soap, soap dispensers, and paper towels shall be supplied at all times. Paper towels or hot air machines shall be used for hand drying. Mirror shall be installed in every toilet room facilities.
- 5.6.8 Windows of toilet rooms shall be so located above eye-level and shall be provided with No.16-meshscreen unless otherwise air-conditioned.
- 5.6.9 All doors shall open outward and must be self-closing.

SECTION 6. PRESCRIBED REQUIREMENTS FOR CONSTRUCTION

6.1 General Requirements

- 6.1.1 The policies, plans, standards, and guidelines on building design, construction, use, occupancy and maintenance shall be in accordance with the provisions of the National Building Code of the Philippines (P.D. 1096) and its implementing rules and regulations and other existing local laws and ordinances.
- 6.1.2 A person or group of persons, or entity who intends to construct, operate, alter, or renovate an establishment covered under these implementing rules and regulations shall first submit the plans and specifications to the local health officer for review and approval. All plans shall be submitted in duplicate copies.
- 6.1.3 The application for permit to construct, operate, alter or renovate such establishment shall be written on such forms issued by the local health office together with other supporting documents that are necessary for proper review of plans.
- 6.1.4 The establishment shall be built or renovated in accordance with the approved plans unless approval of changes has been given in writing by the local health officer. The operator shall notify the local health officer at specific predetermined stages of construction and at the time of its completion and to permit inspection of the establishment during and after construction.
- 6.1.5 The new establishment or portions of existing establishment that have been altered or renovated shall not be placed in operation until such inspection shows compliance with the requirements of these rules and regulations.

6.2 Walls, Partitions and Ceilings

- 6.2.1 Rooms in areas where excessive noise or vibration is produced shall have sound-resistant walls extending to the ceiling.
- 6.2.2 Walls or wall covering shall not have open spaces or cracks that would provide harborage of vermin.
- 6.2.3 Walls and partitions inside the sanitary facilities shall be of smooth and impervious material with a minimum height of two (2) meters (6.56 feet) starting from the floor. All walls that exceed the said height shall be light-colored.
- 6.2.4 Partition walls between water closets shall have a height of at least two (2) meters (6.56 feet) and terminates thirty (30) centimeters (1 foot) above the floor.
- 6.2.5 All ceilings shall be made of smooth, light-colored and non-toxic material.

6.3 Windows

Every room intended for use, not provided with artificial ventilation system, shall be provided with a window or windows with a total free area of openings equal to at least ten percent (10 %) of the floor area of the room, to which it shall open directly to a clear space.

6.4 Floors

- 6.4.1 All floors shall be constructed of concrete or any impervious, easily cleaned and non-toxic materials.
- 6.4.2 Where the floors are constructed of wood with dovetailed or tongue and groove floorboards, it shall be clamped together and laid in a firm foundation.
- 6.4.3 Floor coverings such as vinyl tiles, wood parquet, linoleum, or any other similar materials shall be fixed to the floor with cement, glue, or any suitable adhesive material. Carpets, when used, shall be maintained in a clean and satisfactory condition.
- 6.4.4 There shall be sufficient floor space for comfort and for carrying out duties effectively and efficiently. Working spaces, stairways, aisles, or any passageways shall have a least dimension of 1.20 meters to permit free unobstructed movement of persons.

6.5 Lighting

- 6.5.1 All areas in the establishment shall be properly lighted, either by natural or artificial lights, or both.

TABLE 2: MINIMUM STANDARDS FOR ILLUMINATION

AREA	MINIMUM ILLUMINATION	
Hallways, exits, stairways and landing (on floor), elevators, escalators and dining rooms	20 foot candles	215.2 lux
Locker rooms, toilets and bathrooms	10 foot candles	106.7 lux
Kitchens, study rooms, storage rooms, supply rooms	20 foot candles	215.2 lux
Outdoor pathways	2 foot candles	21.52 lux

- 6.5.2 Lighting shall be reasonably free from glare and evenly distributed to avoid shadows.
- 6.5.3 The intensity of the required illumination inside the establishment shall be maintained at a point 76.20 centimeters (30 inches) above the floor.
- 6.5.4 There shall be provisions of sufficient lighting fixtures on open areas capable of illuminating dark places in the establishment especially at night.
- 6.5.5 Switches of lighting fixtures shall be conveniently located.
- 6.5.6 The level of illumination of other areas not otherwise mentioned shall be of such intensities as may be required by the local health officer concerned as recommended by the sanitary engineer.

6.6 Ventilation

- 6.6.1 Natural and/or mechanical ventilation, which is effective and suitable for comfort and safety of clients and personnel, shall be provided in all areas of the establishment.
- 6.6.2 When natural ventilation is provided, a room intended for use shall be provided with a window or windows with a total free area of openings equal to at least ten percent (10 %) of the floor area of the room, and such window shall open directly to a clear space.
- 6.6.3 In the absence of effective natural ventilation, mechanical ventilation shall be provided such as follows:
- Air-conditioning units - provide 1.5 Horsepower (6,000 BTU/ hour) air-conditioner for every 50 cubic meter room volume.
 - Exhaust fans or blowers:

- Storage and supply rooms: provide an exhausts fan or blower with a minimum fan diameter of 15.24 centimeters per 35 cubic meter room volume (or equivalent minimum cubic meter of air per minute at 3 air changes per hour).
- Kitchen, Dining, and Study Rooms: provide a minimum fan diameter of 15.24 centimeters per 35 cubic meter room volume (or equivalent minimum cubic meter of air per minute at 3 air changes per hour).
- Toilets and Bathrooms: provide a minimum fan diameter of 15.24 centimeters per 35 cubic meter room volume (or equivalent minimum cubic meter of air per minute at 3 air changes per hour). Windowless bathrooms shall be provided with mechanical exhausts systems that are connected to the light switch.
- Air circulation of the room of the establishment shall be supplied through air inlets arranged, located, and equipped so that the personnel, guests, and visitors are not subjected to air velocities exceeding 1.02 meter per second.

- 6.6.4 The ventilation of other areas not otherwise mentioned shall be of such capacity that will be required by local health officer concerned as recommended by the sanitary engineer.

6.7 Sound and Vibration

- 6.7.1 Sound-absorbing materials shall be installed in all areas where excessive noise is produced.
- 6.7.2 Anti-vibration mountings shall be utilized for sound and vibration-producing equipment.
- 6.7.3 Insulation and absorbing materials and equipment to minimize excessive sound and vibration shall be in accordance with Occupational Health and Safety Standards formulated by the Department of Labor and Employment and Chapter VII - "Industrial Hygiene" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

SECTION 7. SAFETY REQUIREMENTS

- 7.1 The health and safety in the working environment shall be in accordance with the Occupational Health and Safety Standards formulated by the Department of Labor and Employment and Chapter VII - "Industrial Hygiene" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.
- 7.2 Emergency telephone and the telephone numbers of ambulance services, doctors, and hospital shall be conspicuously posted in the premises of the establishment.

7.3 The establishment shall provide medical services and a readily-accessible first-aid kit supplies as shown in the following tables:

TABLE 3. MEDICINES **

MEDICINES	NUMBER OF WORKERS					
	1 to 50	51 to 99	100 to 199	200 to 600	601 to 2000	2001 & up
Topical Antiseptic, cc.	60	60	60	120	240	240
Antiseptic Eyewash, cc.	-	-	-	-	-	-
70% Isopropyl Alcohol, cc.	240	240	240	240	500	500
Aromatic Spirit of Ammonia, cc.	30	30	30	30	30	30
Toothache drops, cc.	15	15	30	30	30	30
Hydrogen Peroxide Solution, cc.	120	120	120	240	240	240
Burn Ointment, tube	-	-	1	1	1	1
Analgesic/Antipyretic tablets	10	10	10	20	30	40
Anti-histaminic tablets	-	-	10	20	30	40
Antacid tablets	10	10	10	20	30	40
Anti-diarrhea tablets	10	10	10	20	30	40
Anti-spasmodic tablets	-	-	10	20	30	40
Anti-hypertensive tablets	-	-	10	20	30	40
Coronary vasodilator tablets	-	-	10	20	30	40
Anti-asthma tablets	-	-	10	10	20	20
Anti-hemorrhagic tablets	-	-	10	10	20	20
Glucose solution, 5%, 500 cc.	-	-	-	-	-	-
Anesthetic preparation, cc.	-	-	-	-	-	-

TABLE 4. MEDICAL SUPPLIES AND EQUIPMENT **

MEDICAL SUPPLIES/ EQUIPMENT	NUMBER OF WORKERS					
	1 to 50	51 to 99	100 to 199	200 to 600	601 to 2000	2001 & up
First Aid Pamphlet	1	1	1	1	1	1
First Aid Box	1	1	1	1	1	1
Thermometer	1	1	1	1	2	2
Stethoscope	-	-	1	1	1	1
Sphygmomanometer	-	-	1	1	1	1
Sterile Gauze Pads	5	5	5	10	20	20
Gauze bandages, roll	1	1	1	1	2	2
Adhesive tape, roll	1	1	1	1	1	1
Absorbent cotton	*	*	*	*	*	*
Bandage Scissors	1	1	1	1	1	1
Triangular Bandage	-	1	1	1	2	2
Safety Pins	-	*	*	*	*	*
Wooden Tongue Depressors	-	-	100	100	100	100
Hot Water Bag	1	1	1	1	1	1
Ice Bag	1	1	1	1	1	1
Disposable Hypodermic Syringes w/ needles, 2.5 cc	-	-	10	10	10	20
Rubber Tomiquet	1	1	1	1	1	1
Venoclysis set (IV tubing, butterfly)	-	1	1	2	2	2
Minor Surgical Instruments	-	-	*	*	*	*
Forceps	-	*	*	*	*	*
Sterilizer	-	-	-	-	1	1
Waste Pail	1	1	1	1	1	1
Soap, Cake	*	*	*	*	*	*
Linens	-	-	-	*	*	*
Bed	-	-	-	1	1	1
Stretcher	-	-	-	1	1	1
Cabinet for medicines and supplies	-	-	1	1	1	1
Examining Table	-	-	-	1	1	1

TABLE 5. MEDICAL FACILITIES

MEDICAL FACILITIES	NUMBER OF WORKERS					
	1 to 50	51 to 99	100 to 199	200 to 600	601 to 2000	2001 & up
Treatment room	-	1	1	1	-	-
Emergency Clinic	-	-	-	-	1	1
Emergency Hospital/ Infirmary	-	-	-	-	-	-
Dental Clinic	-	-	-	-	-	1

NO. OF WORKERS	MEDICAL OFFICER	SERVICE RENDERED
1 TO 50	FIRST-AIDER	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
100 TO 199	OCCUPATIONAL HEALTH NURSE	PART TIME (AT LEAST 4 HOURS A DAY, 6 TIMES A WEEK)
	FIRST-AIDER	FULLTIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
		NOTE : IF THERE ARE MORE THAN ONE WORKSHIFT PER DAY, THE NURSE SHALL STAY DURING THE SHIFT WHICH HAS THE MOST NUMBER OF WORKERS
200 TO 600	OCCUPATIONAL HEALTH PHYSICIAN	PART TIME (AT LEAST 4 HOURS A DAY, 3 TIMES A WEEK)
	DENTIST	PART TIME (AT LEAST 4 HOURS A DAY, 3 TIMES A WEEK)
	OCCUPATIONAL HEALTH NURSE	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
	FIRST-AIDER	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
		NOTE : THE PHYSICIAN AND THE DENTIST SHALL STAY IN THE WORKPLACE ON ALTERNATE DAYS. WHERE THERE ARE MORE THAN ONE WORKSHIFT PER DAY, THE DENTIST AND THE PHYSICIAN SHALL STAY DURING THE SHIFT WHICH HAS THE MOST NUMBER OF WORKERS
601 TO 2000	OCCUPATIONAL HEALTH PHYSICIAN	PART TIME (AT LEAST 4 HOURS A DAY, 6 TIMES A WEEK)
	DENTIST	PART TIME (AT LEAST 4 HOURS A DAY, 6 TIMES A WEEK)
	OCCUPATIONAL HEALTH NURSE	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
	FIRST-AIDER	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
		NOTE : THE PHYSICIAN AND THE DENTIST SHALL STAY IN THE WORKPLACE ON ALTERNATE DAYS. WHERE THERE ARE MORE THAN ONE WORKSHIFT PER DAY, THE DENTIST AND THE PHYSICIAN SHALL STAY DURING THE SHIFT WHICH HAS THE MOST NUMBER OF WORKERS

MORE THAN 2000	OCCUPATIONAL HEALTH PHYSICIAN	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
	DENTIST	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK)
	OCCUPATIONAL HEALTH PHYSICIAN	PART TIME (AT LEAST 4 HOURS A DAY, 6 TIMES A WEEK) FOR EACH OF THE OTHER WORK SHIFT
	OCCUPATIONAL HEALTH NURSE	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK) FOR EVERY WORK SHIFT
	FIRST-AIDER	FULL TIME (AT LEAST 8 HOURS A DAY, 6 TIMES A WEEK) FOR EVERY WORK SHIFT

- 7.4 Personal protective equipment (PPE) appropriate for the type or nature of work shall be provided to employees by the operator of the establishment.
- 7.5 The fire protection system and safety instruction program of the establishment shall be in accordance with the Fire Code of the Philippines (P.D. 1185) and its implementing rules and regulations.
- 7.6 Fire drills and earthquake drills shall be conducted on the establishment twice a year.
- 7.7 Electrical designs, equipment, specifications, conduits, installations and all electrical system shall conform to the Philippine Electrical Code, as adopted by the Board of Electrical Engineering pursuant to Republic Act No. 184 otherwise known as the Electrical Engineering Law and its implementing rules and regulations and other existing laws and local ordinances.
- 7.8 Mechanical designs, equipment, specifications, installations and all mechanical system shall conform to the Philippine Mechanical Engineering Code, as adopted by the Board of Mechanical Engineering pursuant to Commonwealth Act No. 294 otherwise known as the Mechanical Engineering Law and its implementing rules and regulations and other existing laws and local ordinances.
- 7.9 The minimum requirements for the accessibility of differently-abled persons in the establishment shall be in accordance with Batas Pambansa Blg. 344 - "The Law to Enhance Mobility of Disabled Persons" and its implementing rules and regulations.

1 Note: ** Any medicine supply/equipment prescribed in the table may be substituted with one of comparable effectiveness, and shall be replaced with the same quantity immediately after consumption.

SECTION 8. PROVISIONS FOR SPECIFIC TYPES OF NUISANCE

8.1 Public or private premises maintained and used in a manner injurious to health

- 8.1.1 No public or private place shall be used and maintained as a disposal site of refuse or any other noxious waste unless the site has been designated for such purpose and with the approval of the local health office or other concerned regulatory agencies.
- 8.1.2 By-products such as bagasse, rice hulls and other similar particles shall not be stored or dumped in an open or exposed area without any covering or protective material which shall prevent such by-products from scattering or being blown away by the wind.
- 8.1.3 There shall be no structure, materials, equipment, machinery, or vehicles abutting unto public street or sidewalk that affects and obstructs the convenient passage of traffic and passer-by. Streets used as parking for vehicles or for any other purpose shall be subjected to the approval by the local health authority under existing local regulations and ordinances.
- 8.1.4 Any structure or parts thereof that was decayed, damaged by fire or termites, or declared as "condemned" and to which in the assessment of the health officer that the structural integrity is questionable and shall constitute a hazard to public health and safety shall be demolished within such reasonable time as the local officer may order after due written notification of the owner or operator.
- 8.1.5 Machinery, equipment, or any structure or material placed unprotected, unguarded, insanitary, or situated or operated in a public or private premises which constitute as nuisance shall be confiscated or abated within thirty (30) days after its assessment by the local health office and written notification of the owner or operator.
- 8.1.6 Establishments that are emitting dense smoke or noxious fumes, vapors, gas, dust, soot, or cinders, in unreasonable or toxic quantity that adversely affect health and sanitation shall be declared as a nuisance and shall be dealt accordingly by the local health officer concerned.
- 8.1.7 Establishments engaged in the processing and manufacturing of explosives, inflammable liquids, and other toxic and hazardous substances shall be located 300 meters away from densely populated areas (residential, commercial, and institutional areas).

- 8.1.8 Public or private premises or buildings/structures constructed, altered or operated in violation of the Code on Sanitation of the Philippines (P.D. 856), the Building Code of the Philippines (P.D. 1096), the Civil Code of the Philippines, its implementing rules and regulations, and other existing laws and local ordinances shall be declared as nuisance and the local health officer shall have the authority or the power to order in writing the operator, to correct or remove the said nuisance within such reasonable time as the local health officer may order.

8.2 Breeding places and harborage of vermin

- 8.2.1 The owner or operator shall be responsible for the control of vermin and its breeding places within his establishment or premises.
- 8.2.2 The growth of weeds, grasses, and bushes outside, within the premises of the establishment, or in any public or private vacant lots shall be controlled to prevent the breeding or harborage of harmful insects and animals (e.g. spiders, scorpions, or snakes).
- 8.2.3 No person shall use any dangerous and toxic chemical in spray or in mist form in concentrations exceeding the maximum permissible standard set by the Fertilizer and Pesticide Authority and other concerned regulatory agencies for the purpose of weed control.
- 8.2.4 The control, method, procedure and frequency shall be in accordance with the provisions of Chapter XVI - "Vermin Control" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.

8.3 Animals and their carcasses which are injurious to health

- 8.3.1 A dead animal shall be disposed by its owner within twenty-four (24) hours after its death and in such a manner complying with Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and local ordinances.
- 8.3.2 Whenever a dead animal is indiscriminately disposed in any private or public place to which the owner of such animal is unknown, the local health officer has the authority to direct his authorized representative to bury it in a manner complying with Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and local ordinances.

- 8.4.1 The sanitary requirements for the segregation, storage, collection, transport, and final disposal of refuse shall be in compliance with Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and all other pertinent laws, rules and regulations, and local ordinances.
- 8.4.2 Storing and drying of manure shall be made at a minimum distance of 500 meters away from residential, commercial or industrial area or as approved by the local health officer, considering that objectionable odors emitted from the establishment shall not cause nuisance to the people residing within the area.
- 8.5 **Noxious matter or waste water discharged improperly in streets**
- 8.5.1 There shall be no noxious matter or any harmful substance that shall be disposed off unto streets, roads, alleys, bodies of water, or in any pathways or place not approved by the local health officer or other concerned regulatory agencies, as disposal site for such. The sanitary requirements for its disposal shall be in pursuance with Chapter XVIII - "Refuse Disposal" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations and all other pertinent laws, rules and regulations, and local ordinances.
- 8.5.2 Sewage or any wastewater that are discharged without prior treatment, unto streets, roads, alleys, bodies of water or in any pathways or place, or is used to water street plants, that is likely to affect health, cause pollution or contamination of wells, springs, or any source of drinking water, shall be declared as nuisance and shall be acted upon, corrected or removed by the owner or operator of the establishment within twenty-four (24) hours.
- 8.5.3 The quality of bodies of water shall be maintained in a safe and satisfactory condition according to its best usage as stated in the Department of Environment and Natural Resources standards, rules and regulations.
- 8.6 **Animal stockade maintained in a manner injurious to health**
- 8.6.1 All animal stockade shall be kept reasonably clean and free from accumulation of manure and other refuse.
- 8.6.2 All animal stockade, whether temporary or permanent, shall be required to have a flooring which is impervious, free from cracks and crevices, and properly sloped (2 %) to provide efficient drainage.
- 8.6.3 Adequate water supply both for drinking and cleaning and for other domestic purposes shall be provided in the establishment. The water requirement for common domesticated animals shall be as follows:

TABLE 7: MINIMUM WATER REQUIREMENT FOR PIGGERY

TYPE	WATER REQUIREMENT	
Per Head	LITERS/PER DAY	GALLONS/DAY
SOW	36	9.5
BOAR	18	4.8
FATTENER	14	3.7
Note: Provide 75 liters/day (20 gallons per day) per square meter of stockade per clearing during cleaning period		

TABLE 8: MINIMUM WATER REQUIREMENT FOR POULTRY

TYPE	WATER REQUIREMENT	
per 100 Heads	LITERS/DAY	GALLONS/DAY
HENS	30	8.0
CHICKS	3.0	0.8
QUAILS	1.0	0.26
Note: Provide 75 liters/day (20 gallons/day) per square meter of stockade per clearing during cleaning period		

- 8.6.4 Every animal stockade or other animal enclosures shall be provided with a watertight, easy to carry, and vermin-proofed receptacle for manure and other litter arising within the premises of the stockade. Such receptacle shall always be securely covered except on the time of emptying and shall be preferably disinfected after every use. No manure shall be allowed to accumulate except in such receptacle.
- 8.6.5 All domestic animals such as those kept as pets, or used in the livestock industry and for other purposes shall be under the effective control of its owner or the operator of the establishment. All stray animals shall be impounded by the local government unit concerned.
- 8.6.6 Livestock which are temporarily confined in abattoir/slaughterhouse shall be covered by Chapter IV - "Markets and Abattoirs" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.
- 8.6.7 **Animal Used for Commercial Purposes**
- a. Establishment engaged in livestock industry shall be located only in places or areas designated under existing zoning laws and local zoning ordinances. Where no zoning law or ordinance exist the local health officer concerned shall determine the suitability of the location.

- b. Livestock stockades shall not be located within twenty-five (25) meters from any ground and surface drinking water sources nor shall it be near flood-prone areas or in depressions where heavy water run-off may occur.
- c. There shall be no livestock stockade intended for commercial purposes which shall be constructed, operated, and maintained at a point 100 meters (328 feet) from any place of human habitation.
- d. There shall be a buffer zone of at least five (5) meters in width around the boundaries of the lot and if possible it shall be planted with trees or shrubs.
- e. The location of any livestock industry shall be at least 500 meters away from national roads and highways.
- f. Such establishment shall be projected that no future urban expansion or development shall take place in the area where the establishment is to be located within five (5) years.
- g. Stables, barns, loafing or loitering area and other enclosure where an animal are raised or kept shall be constructed of such material and in such a manner that it can be kept reasonably clean and sanitary at all times.
- h. Satisfactory space requirement in each domestic animal stockade shall be observed to prevent overcrowding.

TABLE 9: MINIMUM SPACE REQUIREMENT FOR SWINE STOCKADES

TYPE OF SWINE (PER HEAD)	FARROWING HOUSE (SQUARE METERS)	GROWING/FINISHING HOUSE (SQUARE METERS)
BOAR	1.858	-
PRE-FARROWING SOW	1.858	-
GILTS	1.580	-
SOW WITH LITTER:		
YOUNG	4.460	-
MATURE	5.948	-
GROWING/FINISHING PIGS:		
10 - 20 KG.	-	0.46 - 0.56
20 - 40 KG.	-	0.56 - 0.74
40 - 70 KG.	-	0.74 - 0.84
70 - 100 KG.	-	0.84 - 1.11

TABLE 10: MINIMUM SPACE REQUIREMENT FOR POULTRY STOCKADES

TYPE OF POULTRY (PER HEAD)	STOCKADE AREA (SQUARE CENTIMETERS)
LAYERS:	
DAY-OLD TO FOUR WEEKS	96.82
FOUR TO EIGHT WEEKS	193.65
NINE WEEKS TO LAYING AGE	50 - 60
BROILERS:	
DAY-OLD TO THREE WEEKS	278.85
THREE TO FOUR WEEKS	464.75
FIVE WEEKS OR MORE	929.50

TABLE 11: MINIMUM SPACE REQUIREMENT FOR GOAT STOCKADES

TYPE OF GOAT (PER HEAD)	STOCKADE AREA (SQUARE METERS)
DOES, BUCKS, ADULTS	0.75 - 1.50
GROWING	0.50 - 0.75
KIDS	0.20 - 0.50
NOTE : PROVIDE A MINIMUM LOAFING AREA OF 100 - 150 SQUARE METERS PER 50 GOAT HEADS	

TABLE 12: MINIMUM SPACE REQUIREMENT FOR CATTLE STOCKADES

TYPE OF CATTLE (PER HEAD)	STOCKADE AREA (SQUARE METERS)	STOCKADE DIMENSIONS (METERS)
FATTENER	6.0	4.0 x 1.5
NOTE : PROVIDE A MINIMUM LOAFING AREA OF 500 TO 800 SQUARE METERS PER 50 CATTLE HEADS		

- i. Any establishment engaged in the sale of pet animals such as dogs, cats, reptiles, fishes, doves, rabbits, mice, and others located within a commercial area shall be at least 25 meters away from any food establishment.
- j. The frequency of disinfection of every animal stockade and every premises of such establishment that is likely to be contaminated shall be maintained at least three times a week or as frequent as necessary as the local health officer may direct.
- k. The establishment shall be provided with a sufficient ventilation such as an exhaust system capable of delivering a minimum of 1 cubic meter of air per minute at 10 air changes per hour that minimize objectionable odors arising from such establishment.

- 8.6.8 All places including animal cages or pens shall be maintained clean as often as possible to prevent attraction and harborage of vermin.
- 8.6.9 All animal and poultry feeds shall be kept and stored under such conditions that will limit the attraction and harborage of vermin.
- 8.6.10 Whenever an animal or an animal stockade serves as a nuisance and is the subject of complaint of the residents within the area, the people may file a written complaint to the local health officer who in return shall notify and suggest sanitary procedures to the operator to correct or remove such nuisance. If the operator or owner fails, neglects or refuses to abate such nuisance within thirty (30) days after such notification or within a shorter time prescribed by the local health officer, the local health officer shall prohibit the keeping of such animal or the further use of such stockade.

8.7 Excessive noise

- 8.7.1 An establishment creating such noise which exceeds the maximum allowable noise levels shall be so located in appointed areas designated under existing zoning laws and other local zoning ordinances.
- 8.7.2 All persons exposed to noise which exceeds the maximum allowable noise levels emanating within any construction site, establishment or premises such as those emitted from certain equipment, machinery, vehicle, tools or devices, shall be provided with appropriate personal protective equipment (PPE).
- 8.7.3 The pertinent rules and regulations formulated under Presidential Decree No. 984 commonly known as "The Pollution Control Law" shall be hereby adopted in these implementing rules and regulations.
- 8.7.4 The maximum allowable noise quality standards shall be as follows:

TABLE 13: MAXIMUM ALLOWABLE NOISE LEVELS IN GENERAL AREAS

CATEGORY OF AREA	DAYTIME	MORNING AND EVENING	NIGHT TIME
AA	50 dB	45 dB	40 dB
A	55 dB	50 dB	45 dB
B	65 dB	60 dB	55 dB
C	70 dB	65 dB	60 dB
D	75 dB	70 dB	65 dB

a. Classification of General Areas:

- i. Class AA - a section or contiguous area which requires quietness such as area within 100 meters from school sites, nursery schools, hospitals, and special homes for the aged.

- ii. Class A - a section or contiguous area that is primarily used for residential purposes.
- iii. Class B - a section or contiguous area that is primarily a commercial area.
- iv. Class C - a section primarily reserved as a light industrial area.
- v. Class D - a section that is primarily reserved as a heavy industrial area.

b. The division of the 24-hour period are as follows:

- i. Morning - 5:00 a.m. to 9:00 a.m.
- ii. Daytime - 9:00 a.m. to 6:00 p.m.
- iii. Evening - 6:00 p.m. to 10:00 p.m.
- iv. Nighttime - 10:00 p.m. to 5:00 a.m.

8.7.5 The noise level shall be measured by a standard sound level meter that meets the American National Standards Institute (ANSI) S1.4-1974 or other specification accepted by the Department of Environment and Natural Resources (DENR).

8.7.6 Whenever a noise is emitted from any residential, commercial, industrial and other premises which serves as a nuisance and is the subject of complaint of the residents within the area, the people may file a written complaint to the local health officer who in return shall notify the owner or operator to abate such nuisance. If the operator or owner fails, neglects or refuses to abate such nuisance within thirty (30) days after such notification or within a shorter time prescribed by the local health officer, the latter shall prohibit such nuisance or provide measures to prevent such nuisance at the expense of the owner or operator or person concerned.

8.8 Illegal shanties in public or private properties

8.8.1 The construction, erection, or extension of any public or private building or structure, whether temporary or permanent, for the purpose of habitation, storage, recreation, commercial or business purposes and other uses outside the owner's or operator's perimeter of jurisdiction or apart from his legally declared property line shall be considered as a nuisance.

8.8.2 The utilization of a public or private place, whether temporary or permanent, for pathway or access of any person or motorist, for parking of a vehicle or for other purposes without the consent of the owner of the property shall be considered as a nuisance.

8.9 Other types of nuisance

- 8.9.1 Other types of nuisance such as, but not limited to, objectionable odor; unnecessary vibration and radiation; noxious weeds and shrubs in a public place; decayed, unwholesome, or contaminated food or drinks offered for sale or for distribution to the public; any person or animal inflicted with a contagious or communicable disease which is exposed to the public; the distribution or sale of medicines, drugs or cosmetics which are not approved by the Bureau of Food and Drugs; articles such as clothes, shoes, linens, towels, bedding materials, blankets, pillows, and anything used for sleeping or resting, which are second hand or made of second hand materials that are offered for sale to the public; and others which are the subject of complaint of the residents within the area, which jeopardize the health, sanitation and safety of the community shall be investigated by the local health officer who shall notify and prescribe sanitary procedures to the owner or operator, to correct or remove such nuisance.
- 8.9.2 If the owner or operator fails, neglects or refuses to abate such nuisance within thirty (30) days after such notification or within a shorter time prescribed by the local health officer, the latter shall prohibit such nuisance or provide measures to stop or prevent such nuisance at the expense of the owner or operator concerned.

SECTION 9. REQUIREMENTS FOR ESTABLISHMENTS ENGAGED IN OFFENSIVE TRADES AND OCCUPATIONS

- 9.1 All establishments engaged in offensive trades and occupations covered under Sub-section 1.2 of these implementing rules and regulations shall be required to secure a sanitary permit from the local office.
- 9.2 The operator or employees of the establishment shall be required to secure a health certificate from the local health office.
- 9.3 The establishment shall comply with the pertinent provisions of Chapter VII - "Industrial Hygiene" of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations.
- 9.4 The occupational safety and health within the establishment shall be in compliance with the provisions stated in the Occupational Safety and Health Standards formulated by the Department of Labor and Employment under the Labor Code of the Philippines.
- 9.5 All effluents and emissions produced by the establishment shall be within the maximum permissible level or standards set under Presidential Decree No. 984 commonly known as the "Pollution Control Law" and other pertinent administrative orders, rules and regulations formulated by the Department of Environment and Natural Resources.

SECTION 10. INSPECTION AND EVALUATION

10.1 Responsible Officer

It shall be the duty of the local health officer to cause the evaluation and inspection of every establishment requiring a sanitary permit for its operations at least every three (3) months and to cause additional inspection and re-inspection and evaluation as deemed necessary for the enforcement of these rules and regulations.

10.2 Sanitation Inspection Fee

The fees payable on every inspection shall be of such amount prescribed by local ordinance.

10.3 Mission Order

10.3.1 The local health officer or the chief of the sanitation division/ section/ unit of the local health office, as the case may be, shall issue a mission order (EHS Form No. 112) for every sanitation inspection that will be conducted by the sanitary engineer/sanitation inspector.

10.3.2 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 dates of inspection. This must be shown to the owner/operator of the establishment before any inspection is conducted. The immediate supervisor of the inspector shall monitor the enforcement of the mission order.

10.3.3 Sanitary inspection conducted without a mission order is prohibited.

10.3.4 The operator of the establishment shall report to the local health officer or chief of sanitation division/section/unit any unauthorized inspection that was conducted.

10.4 Uniform of Sanitation Inspector and Aids to Inspections

10.4.1 The sanitation inspector shall wear the prescribed uniform of the office with the proper identification card while conducting the inspection.

10.4.2 He shall likewise bring all the equipment and supplies needed in the inspection such as the inspection forms, clipboards, thermometers, flashlight, metal measuring tape, camera, light meter, water pressure gauge, chlorine residual and pH comparator kits, blacklight, field bag w/ water quality sampling kit, etc., copy of the sanitation laws, regulations, standards and other reference materials needed in the inspection.

10.5 Frequency of Inspection

10.5.1 The frequency of inspection shall be at least once every three (3) months.

10.6 Recording of Inspection

10.6.1 The sanitary engineer/sanitation inspector shall keep a record of all his inspections or evaluation reports in an inspection form (EHS Form 103-B).

10.6.2 The sanitary engineer/sanitation inspector shall furnish the original of such report to the operator of the establishment.

10.6.3 Demerits entered in the appropriate column of the inspection form shall indicate that the item does not conform to the requirements of these regulations.

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

10.6.4 Sanitation Standard

- a. The percentage rating has an equivalent sanitation standard as follows:

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

- b. Establishments with percentage rating below 50% shall be recommended for suspension of operation until compliance.
- c. Sanitation standard rating sticker (SSRS) (EHS Form No. 104-A/C) shall be posted in a conspicuous part of the establishment, preferably at the door, for guidance of the customers. It shall be updated once every three (3) months, unless revoked earlier.

10.6.5 The average sanitation standard of every establishment shall be evaluated by the local health officer/chief of sanitation division/section/unit every end of the year to determine its improvement/maintenance of rating.

10.7 Report of Inspection

10.7.1 The sanitary engineer/sanitation inspector who conducted the inspection shall complete the sanitary inspection report, and whenever an inspection form issued indicates non-complying items, he shall notify the operator of the corrections to be made and indicate a reasonable period for its compliance.

- a. The recommended corrective measures shall be specific in nature for the easy understanding of the operator of the establishment.
- b. Reasonable period for compliance or grace period shall be inclusive of Saturdays, Sundays and holidays.

10.7.2 The sanitary engineer/sanitation inspector who conducted the inspection shall likewise prepare a sanitary order (EHS Form No. 107) for approval by the local health officer or chief of the sanitation division/section/unit.

10.7.3 Within 48 hours of the inspection or evaluation, the original inspection report (EHS Form No. 103-B) and the sanitary order shall be furnished and acknowledged by the holder of the permit certificate, the operator of the establishment. The inspection report shall be personally delivered, or shall be sent through postal service and registered with return card.

10.8 Re-inspection

10.8.1 If upon re-inspection of the establishment after the deadline, the sanitary engineer/sanitation inspector has found that the correction has not been effected, he shall report to the local health officer who shall recommend to the local health authority the revocation of the sanitary permit.

10.8.2 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.

10.9 Service of Notice

10.9.1 Whenever an inspection or evaluation form indicates non-complying items, the local health officer shall serve to the operator a sanitary order requiring him, within the grace period stated in the order, to take such remedial action as may be specified therein.

10.9.2 In the event of non-compliance of the first sanitary order by the operator, the local health officer may serve a second notice.

- i. If the owner of the establishment needs additional time to comply with the first sanitary order, he shall request the local health officer in writing prior to the expiration of the said sanitary order, for an extension of the grace period. The local health officer, upon the recommendation of the sanitary engineer/sanitation inspector who conducted the inspection, will act on such request.
- ii. Notice of Hearing (EHS Form No. 118). The local health officer shall call the operator to show cause, at a time and place stated in the notice, why the permit issued in respect of the establishment shall not be revoked.

10.10 Revocation of Permit

- 10.10.1 After prior notices and hearing as provided above, the local health officer, 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 to the local health authority the revocation of the said permit, or;
- 10.10.2 After the second sanitary order on an extended grace period, a re-inspection was conducted and still the owner/operator fails to comply with such order as reported by the sanitary engineer/sanitation inspector, the local health officer shall recommend to the local health authority the revocation of the sanitary permit without delay and shall inform other related agencies of the city or municipality of such revocation.
- 10.10.3 Lifting of suspension of permit may be recommended whenever the operator of the establishment complies with the notices.
- 10.10.4 The operator of the establishment may file a motion for reconsideration to the local health authority if he is not satisfied with the action of the local health officer.
- 10.10.5 The local health authority may file court proceedings against any establishment continuously operating after the revocation of its permit.

10.11 Summary Suspension of Permits

Whenever the local health officer finds unsanitary or unhealthy conditions in the operation of an establishment which in his judgement constitute a substantial hazard to the public health, the local health officer may recommend 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 48 hours.

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

10.13 Power of Entry

Any sanitary engineer/sanitation inspector or duly authorized officer of the Department of Health or of the local health offices, upon presentation of proper credentials may at all reasonable times enter into the establishment 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.

10.13.1 Sanitary inspection shall be conducted by officials in accordance with Section 10, Sub-section 10.3 of these implementing rules and regulations.

10.13.2 Sanitary inspections shall be done preferably during the time when the establishment is in operation.

10.14 Hearings

The local health authority may conduct hearings regarding erring establishments to include appeals from establishments. The decision of the local health authority shall be deemed final and executory.

SECTION 11. RESPONSIBILITY OF THE OPERATOR

The operator of the establishments engaged in offensive trades and occupations and those establishments which are likely to produce a nuisance shall:

- 11.1 Comply with all the requirements and standards as stated in these implementing rules and regulations and all other pertinent provisions of the Code on Sanitation of the Philippines (P.D. 856) and its implementing rules and regulations;
- 11.2 Ensure the state of sanitation of the establishment;
- 11.3 Promote good personal hygiene among his employees and ensure updating of their health certificates;
- 11.4 Ensure the safety and comfort of all employees in the establishment;
- 11.5 Provide regular training programs and instructions to all employees on safety and proper operation and maintenance of the establishment;
- 11.6 Provide adequate and appropriate sanitary facilities, personal protective equipment, and necessities to promote health, safety and sanitation in the establishment;

- 11.8 Assist the health authorities in conducting inspection of the establishment;
- 11.9 Ensure that the processes and materials used in the trade shall be environment-friendly; and
- 11.10 Orient and provide regular training seminars, programs and instructions on the importance of environmental health and sanitation and promote awareness on all existing laws, rules and regulations, and ordinances on the conservation of the environment among his employees.

SECTION 12. RESPONSIBILITY OF THE LOCAL HEALTH OFFICER

The local health officer shall:

- 12.1 Facilitate the conduct and evaluation of the establishment at least once every three months to ascertain their compliance to these implementing rules and regulations;
- 12.2 Investigate complaints concerning alleged nuisances as mentioned in these implementing rules and regulations and apply necessary corrective actions;
- 12.3 Coordinate with the Department of Health or its regional health offices regarding the enforcement of these implementing rules and regulations;
- 12.4 Conduct information, education and advocacy campaigns within his area of jurisdiction in relation to the enforcement of these implementing rules and regulations;
- 12.5 Issue sanitary permit upon completion of the requirements stated in these implementing rules and regulations; and
- 12.6 Prescribe precautionary measures to the operator or owner to prevent nuisance, accidents or spread of contagious or communicable disease in the establishment.

SECTION 13. RESPONSIBILITY OF THE LOCAL HEALTH AUTHORITY

The local health authority shall:

- 13.1 Certify the passing of local laws and ordinances for the adoption, guidance and enforcement of these implementing rules and regulations and other pertinent rules and regulations of the Code on Sanitation of the Philippines (P.D. 856);
- 13.2 Assist the local health officer and other health regulatory personnel by providing necessary facilities, supplies, equipment, training programs and seminars for the promotion and improvement of the state of health and sanitation of the community; and

- 13.3 Issue directives upon recommendation of the local health officer for the prevention and control of any untoward circumstances that may jeopardize public health and safety.

SECTION 14. PENAL PROVISION

- 14.1 Any person who shall violate, disobey, refuse, omit, or neglect to comply with any of the provisions of these implementing 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 Php 1,000.00 or both depending upon the discretion of the court.
- 14.2 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, 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 Php 1,000.00 or both depending on the discretion of the court.

SECTION 15. SEPARABILITY CLAUSE

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


SECTION 16. REPEALING CLAUSE

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

SECTION 17. 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 30th day of April nineteen hundred ninety eight, Manila, Philippines.


CARMENCITA NORIEGA-REODICA, M.D., M.P.H., CESO II
 Secretary of Health

Date of Publication: 26 June 1998
 Manila Standard

ACKNOWLEDGEMENT

The Department of Health sincerely appreciates the dedication and enthusiasm of **Dr. Mario C. Villaverde**, Director of the Environmental Health Service for his role in bringing these Implementing Rules and Regulations (IRRs) from concept to reality.

It is also worth mentioning the enduring commitment of the Environmental Sanitation Division headed by **Engr. Victor V. Sabandeja** together with his technical staff in the Plans, Programs and Policies Formulation Section namely: **Engr. Antonio A. Hormillosa**, **Engr. John C. Foz**, **Engr. Luis F. Cruz**, **Engr. Reynante C. Francisco**, **Engr. Pamela A. Mogol** and **Engr. Joselito M. Riego de Dios** for their invaluable contributions in the revision and refinement of this document.

Deep sense of gratitude is also given to the agencies, associations and organizations who shared their insights and experiences during the writeshops, consultative meetings and series of public hearings conducted nationwide. Their struggles, arguments and even temporary setbacks have enforced feasible sanitation laws. The following agencies, associations and organizations pursued their ongoing interests, invaluable comments and contribution to these efforts:

1. Metro Manila Development Authority, Makati City
2. Philippine Society of Sanitary Engineers, Inc., Manila
3. Department of Environment and Natural Resources, Baguio City, Davao City, Iloilo City, NCR, Mountain Province
4. Department of Agriculture, Davao City, Iloilo City
5. Department of Trade and Industry, Davao City, Iloilo City
6. National Meat Inspection Commission, Quezon City, CAR-Baguio City, Davao City, Iloilo City
7. Department of Labor and Employment - CAR - Baguio City, Iloilo City
8. Bureau of Animal Industry, Quezon City
9. Philippine Information Agency, Iloilo City
10. Office for Public Health Services, Department of Health, Manila
11. Office for Legal Affairs, Department of Health, Manila
12. Health Policy Development Staff, Department of Health, Manila
13. Department of Health Regional Offices
14. Provincial Health Offices of Misamis Oriental, Davao Oriental, Misamis Occidental, Davao del Sur, Aklan, Capiz, Antique, Guimaras, Ilocos Sur, Aurora, Zambales
15. City/Municipal Health Offices of Cagayan de Oro, Davao City, Gingoog City, Oroquieta City, Bacolod City, Sagay City, La Carlota City, Cadiz, Cadiz City, San Carlos City, Bago City, Roxas City, Cebu City, Tacloban City, Iloilo City, Baguio City, Laoag City, La Trinidad, Benguet, Cavite City, Makati City, Quezon City
16. Engr. Simon M. Cuevo, City Health Department, Manila
17. City Veterinarian Office, Baguio City
18. Soiltech, San Fernando City, La Union
19. Benguet Mining Corporation, Baguio City
20. UKK Farm, Davao City
21. Davao Fresh Food Corporation, Davao City

22. Claudio Poultry Farm, Davao City
23. Piggery Association, Baguio City
24. Bacnotan Steel Corporation, San Fernando City, La Union
25. Ecano Metal Craft, Manila
26. Pangasinan Farm, Dagupan City
27. San Miguel Corporation, Bacolod City
28. Formix Feeds, Iloilo City

Recognition is hereby extended to the following DOH personnel who compassionately nurtured the spirit of collaborative effort in the final review and approval of the manuscript:

1. **Dr. Antonio S. Lopez**
Undersecretary of Health
Office for Public Health Services
2. **Atty. Agustin C. Mangila V**
Director III
Office for Legal Affairs
3. **Ms. Myleen Meniado-Beltran**
Officer-in-Charge
Health Policy Development Staff

The Department of Health enjoins all agencies especially the Local Government Executives in meeting the demands and challenges for a healthful living environment as we enter our journey for economic development towards Philippines 2000.


CARMENCITA NORIEGA-REODICA, M.D., M.P.H., CESO II
Secretary of Health