

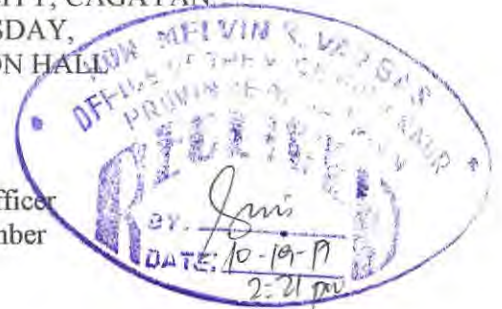


Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao



**SEVENTH CITY COUNCIL**

EXCERPTS FROM THE MINUTES OF THE 58<sup>th</sup> REGULAR SESSION  
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON OCTOBER 10, 2017, 9:00 A.M., TUESDAY,  
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL



**PRESENT:**

- |                                   |                                    |
|-----------------------------------|------------------------------------|
| Hon. Bienvenido C. De Guzman II   | City Vice Mayor, Presiding Officer |
| Hon. Danilo L. Baccay             | Sangguniang Panlungsod Member      |
| Hon. Jude T. Bayona               | -do-                               |
| Hon. Maila Rosario T. Que         | -do-                               |
| Hon. Arnel T. Arugay              | -do-                               |
| Hon. Gilbert S. Labang            | -do-                               |
| Hon. Winnoco R. Abraham           | -do-                               |
| Hon. Imogen Claire M. Callangan   | -do-                               |
| Hon. Mary Marjorie P. Martin-Chan | -do-                               |
| Hon. Raymund P. Guzman            | -do-                               |
| Hon. Grace B. Arago               | -do-                               |
| Hon. Anthony C. Tuddao            | -do-                               |
| Hon. Jose G. Velasco              | -do-                               |

**ABSENT:**

- |                             |                               |
|-----------------------------|-------------------------------|
| Hon. Kendrick S. Calubaquib | Sangguniang Panlungsod Member |
|-----------------------------|-------------------------------|

**CITY ORDINANCE NO. 47-2017**

**AN ORDINANCE REGULATING BOTTLED WATER FILLING/REFILLING STATIONS OPERATING WITHIN TUGUEGARAO CITY**

Sponsor: **Hon. Danilo L. Baccay**

**WHEREAS**, the health of the people is the primary responsibility of the Local Government Unit as enunciated by Republic Act 7160, otherwise known as the Local Government Code of 1991.

**WHEREAS**, there are now several water filling/refilling stations operating in the city catering to the needs of the people.

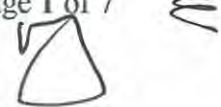
**WHEREAS**, in order to mitigate and avoid accidental outbreak of E-coli Epidemic and insure the health and safety of the people, there is a need to regulate the bottled water filling/refilling stations operating within Tuguegarao City.

**NOW, THEREFORE**, the seventh City Council, in session assembled, hereby ordains:

**SECTION I: TITLE.** AN ORDINANCE REGULATING BOTTLED WATER FILLING/REFILLING STATIONS OPERATING WITHIN THE CITY.

**SECTION II: DEFINITION OF TERMS.**

- A. **Bacteriological Test** - a test for determining the presence or absence of a particular bacteria.
- B. **Physico-Chemical Test** – a test that defines the aesthetic quality of water volume whether it is on standard state or not. Moreover, it provides an accurate finding in the condition of the source.



- C. **Approved Source** – the source of water, either spring, drilled well, public or community system or any other source that has been inspected and the water sampled, analyzed and found safe and sanitary, with or without treatment.
- D. **Bottled Water/Drinking Water** – water obtained from an approved source that has undergone minimum treatment consisting of filtration (activated carbon or particulate) and ozonation or equivalent disinfection process.
- E. **Natural Water** – water derived from an underground formation and not from a public water supply unmodified by blending with water from another source or by addition of dissolved solution except as it relates to ozonation or equivalent disinfection or filtration.
- F. **Artesian Water** – water from a well tapping a confined aquifer where the water level stands above the water table.
- G. **Well Water** – water from a hole bored, drilled, or otherwise constructed in the ground which taps the water of an aquifer.
- H. **Spring Water** – natural water derived from an underground formation from which water flows naturally to the surface of the earth as determined by a BFAD recognized authority.
- I. **Mineral Water** – water characterized by its content of certain mineral salts and their relative proportions, provided that when minerals are added unto it, such water shall be referred to as “Mineralized Water.”
- J. **Purified Water** – water produced by distillation, deionization, reverse osmosis or other suitable process complying with the requirements for purified water provided in the latest edition of the United States Pharmacopoeia (USP). If distillation is the applied purification process, the product may be called “Distilled Water.”
- K. **Philippine National Standards for Drinking Water (PNSDW) 2007** – the new standards cover requirements for the acceptable values of the determined parameters in measuring water quality. These parameters include microbiological, physical, chemical and radiological compositions of water. The standard also delineates values established in conforming with the medical and health implications of the parameters as opposed to values established purely to satisfy aesthetic requirements.

### SECTION III. LICENSING OF WATER PROCESSORS

No person or establishment shall be granted a permit unless he/she is a holder of a valid License to Operate (LTO) a processing plant for bottled water from the Bureau of Food and Drugs (BFAD). However, persons or establishment operating only vendo-type outlets or filling stations are not required to secure License to Operate, provided that they shall not engage in the business of supplying bottled drinking water in pre-package containers with specific claims.

### SECTION IV. GOOD MANUFACTURING PRACTICE FOR PROCESSING DRINKING WATER STATIONS.

1. **APPROVAL OF THE SOURCE** – Water being processed shall be derived from an approved source. Approval of source other than a public water supply shall be based on a field inspection and review of information prepared by a professionally qualified engineer/geologist or any approved agencies recognized by the Department of Health.
2. **PROTECTION OF SOURCE** – All possible precautions should be taken within a 60 meter radius perimeter of the source to avoid pollutions of or undesirable effects on the chemical and physical quality of the water. Particular consideration should be given to the following potential pollutants: bacteria, viruses, parasites, fertilizers, pesticides, hydrocarbons, detergents phenolic compounds, heavy metals, radioactive substances, and other soluble organic and inorganic substances.
3. **LOCATION** – Refilling stations shall be located in areas which are free from objectionable odors, smoke, dust or other contaminants and possible flood or inundation.

4. **PLANT DESIGN** – Bottling room shall be separated from other plant operation or storage areas by tight walls, ceilings and self-closing doors to protect against contamination.
5. **PHYSICAL CONDITIONS** in water handling and processing area shall be as follows:
  - a. Floors, where appropriate, should be water proof, non-absorbent, washable, non-slip and non-toxic materials and should be easy to clean and disinfect. Where appropriate, floors should slope sufficiently for liquids to drain to trapped outlets.
  - b. Walls, where appropriate, should be of water proof, non-absorbent, washable, non-toxic materials and should be light colored, easy to clean and disinfect.
  - c. Ceilings should be designed, constructed and finished as to prevent accumulation of dirt and minimize condensation, mold development and flaking, and should be easy to clean.
  - d. Windows and other openings should be so constructed as to avoid accumulation of dirt and those which are open should be fitted with screens.
  - e. Piping lines should be independent of potable and non-potable water.
6. **SANITARY FACILITIES** – Establishments shall provide adequate sanitary facilities such as, but not limited to, the following:
  - a. Water Supply
  - b. Effluent and waste disposal – the system should at all times be maintained in good order. All effluent lines (including sewer system) should be large enough to carry peak loads and should be constructed as to avoid contamination of possible water supply.
  - c. Toilets shall be provided designed to ensure hygienic removal of waste matter.
  - d. Handwashing facilities – adequate and conveniently located facilities for handwashing and drying shall be provided where the process demands.
  - e. Disinfection facilities – where appropriate adequate facilities for cleaning and disinfection of working implements and equipment shall be provided.
  - f. Waste Disposal – waste material should be handled in such a manner as to avoid contamination of water. Care should be taken to prevent access to waste by pest. Waste shall be removed from the water handling and other working areas as often as necessary and at least daily. Immediately after disposed of waste, receptacles used for storage and any equipment which has come into contact with the waste shall be cleaned and disinfected.

#### 7. **SANITARY OPERATIONS**

- a. The product water – contact surfaces of all multi-service containers, utensils, pipes, and equipment used in processing, handling and storage of product water shall be cleaned and adequately sanitized. All product water-contact surfaces shall be inspected by personnel as often as necessary to maintain the sanitary condition of such surfaces and to ensure they are kept free of scale, evidence of oxidation and other residue. The presence of any unsanitary scale condition, such residue or oxidation shall be immediately remedied by adequate cleaning and sanitizing of that product water-contact surface prior to use.
- b. A permanent cleaning and disinfection schedule should be drawn-up to ensure that all areas are properly cleaned and that critical areas, equipment and material are designated for special attention. If possible a special personnel knowledgeable in the significance of contamination and the hazard involved should be permanently assigned.
- c. Filling, capping, closing, sealing and packaging containers shall be done in a sanitary manner so as to preclude contamination of product.

#### 8. **PEST CONTROL**



- a. There should be an effective and continuous program for the control of pest. The establishment and its surroundings shall be regularly examined for evidence of infestation.
  - b. Pesticides should only be used if other precautionary measures cannot be used effectively. Before pesticides are applied, care should be taken to safeguard water, equipment and utensils from contamination. After application, contaminated equipment and utensils shall be thoroughly cleaned to remove residues prior to their use again.
9. **PROCESS AND CONTROL** - All treatment of product water by distillation, exchanging, filtration, ultra-violet treatment, reverse osmosis, carbonation, mineral addition, or any other process shall be done in a manner so as to be effective in accomplishing its intended purpose. All such processes shall be performed in and by equipment and with substances which will not adulterate the product. An appropriate monitoring program for the effectiveness of water treatment system shall be established. A record of type and date of physical inspection of the equipment, conditions found and the performance and effectiveness of such equipment shall be maintained.

#### 10. CONTAINERS

- a. Single service containers and caps or seals shall be stored and kept in a clean, dry place until used. Prior to use, they shall be examined and washed, sanitized and rinsed or sterilized by method approved by the Bureau of Food and Drugs and shall be handled in a sanitary manner.
- b. Multi-service containers shall be adequately cleaned, sanitized and inspected just prior to be filled capped and sealed. Containers found to be unsanitary or defective shall be reprocessed or discarded. All multi-service containers shall be washed, rinsed and sanitized by mechanical washers or by any other method giving adequate sanitary results.

#### 11. CLEANING AND SANITIZING SOLUTIONS

- a. Disinfecting or sanitizing solutions shall be suitable for the purpose intended and accepted as prescribed in 21CFR 178.1010, sanitizing solution. Cleaning and sanitizing solutions shall be sampled and tested by the establishment as often as necessary to assure adequate performance in the cleaning and sanitizing operation. Any residue of these sanitizing agents on surface which come in contact with products shall be removed through rinsing.
- b. The effectiveness of cleaning and sanitizing procedures should be verified by microbiological monitoring of product contact surface.

12. **FILLING, CAPPING OR SEALING**- During the process of filling, capping or sealing either single-service as multi-service containers, the performance of the filler, capper or sealer shall be monitored and the filled containers visually or electronically inspected to assure they are sound, properly capped or sealed and labeled. Containers which are not satisfactory shall be reprocessed or rejected. Only non-toxic containers and closure shall be used. All containers and closures shall be inspected to ascertain that they are free from contamination. At least once every month a bacteriological swab and/or rinse count should be made from at least Four (4) containers and closure selected just prior to filling and sealing. No more than one (1) of the four (4) may exceed more than one bacteria per milliliter of capacity or one (1) colon per square from coliform organisms. The procedure and apparatus for these bacteriological test shall be in conformance with those recognized by the government agency or agencies having jurisdiction.

#### 13. PRODUCT QUALITY MONITORING

- a. The establishment shall monitor the quality of source water for the contaminant specified in Section V hereof. Monitoring should be scheduled at least weekly for microbiological contaminants except that microbiological analysis shall be done at the start-up of the operation of the plant which has been shut down for a period of one week or longer.

- b. Monitoring for radioactive contaminants shall be done on a frequency at least once every four years.

**14. FINISH PRODUCT MONITORING** - To assure that the process water produced by a processing plant complies with the quality standard operation prescribed in section V hereof, the following shall be performed by the operators.

- a. Microbiological Quality Monitoring - A representative sample of product by the establishment shall be analyzed for coliforms.
- b. The heterotrophia plate count (HPC) should be monitored by extensive sampling to establish baseline data on the first year of operations of the establishment until low counts are achieved consistently. Sampling frequency may be reduced after the year of operation, provided that if there would be significant increase in HPC, the extensive sampling schedule shall again be undertaken. A minimum of one (1) sampling per month is required. Sampling each month shall be varied to eliminate sampling bias.
- c. Physico-chemical quality monitoring - For physico-chemical properties and chemical contaminants, a representative sample from a production batch shall be analyzed annually. Radioactive contaminants need not be monitored for the finished product of the source is monitored for such contaminants at least once every four (4) years. Physico-chemical test may be done in recognized government or private laboratories recommended by the BFAD.
- d. Records of required sampling and analysis shall be maintained at the establishment for a period of one year and shall be available for review by duly designated City Health Officer.

**15. PERSONNEL**

- a. Disease Control - Any person who, by medical examination or supervisory observation, is shown to have, as appears to have an illness, open lesion, including boils, sores or infected wounds or any abnormal source of microbial contaminations by which there is reasonable possibility of product water, product-contact surface, or product packaging materials becoming contaminated, shall be excluded from any operations which maybe expected to result in such contamination until the medical condition is corrected. All personnel shall be subjected to one medical and physical examination each year.
- b. Cleanliness - All persons working in direct contact with the products shall conform to hygienic practice while on duty to the extent necessary to protect against contamination of product water. The methods for maintaining cleanliness include, but are not limited to:
  - a) Wearing outer garments suitable to the operation in a manner that protect against the contamination of product, product contact surface or product packaging materials
  - b) Maintaining adequate personal cleanliness.
  - c) Washing hands thoroughly (and sanitizing if necessary to protect against contaminations with undesirable microorganism) in an adequate hand washing facility before starting work, after each absence from the work sanitation and at any other time when the hands may have become soiled or contaminated.
  - d) Removing all unsecured jewelry and other objects that might fall into the product water, equipment or containers and removing hand jewelry that cannot be adequately sanitized during periods when the process is manipulated by hands. If such hand jewelry cannot be removed, it may be recovered by material which can be maintained in an intact, clean and sanitary condition and which effectively protects against contamination by these objects, the product water, product contact surfaces or product packaging materials.
  - e) Maintaining gloves in an intact, clean and sanitary conditions. The gloves should be of impermeable materials.



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- f) Wearing where appropriate in an effective manner, hairnet, headbands, caps beard cover or other effective restrains.
- g) Storing street clothing or other personal belongings in areas other than where product water is exposed or where equipment or utensils are washed.
- h) Conforming the following to areas other than where product water may be exposed or where equipment or utensils are washed: eating food, chewing gum, drinking beverages or using tobacco.
- i) Taking any other necessary precautions to protect against contamination of product with microorganism or foreign substances including, but not limited to, perspiration, hair, cosmetics, tobacco, chemically and medicines applied to the skin.

**16. Education and Training-** Product handlers and supervisors should receive appropriate training in protection principles and should be informed of the danger of poor personal hygiene and unsanitary practice.

**SECTION V. PRODUCT SPECIFICATIONS**

All product water shall conform to the quality standards prescribed in the Philippine National Standards for Drinking Water (PNSDW) 2007.

**SECTION VI. LABELING REQUIREMENTS**

All products intended for commercial distribution shall be labeled, indicating the brand name and address of establishment.

**SECTION VII-** The City Health Office shall monitor and inspect all water processing establishments for their compliance of Sections IV, V and VI of this ordinance. All water processing establishment are required to submit certified result of annual physico-chemical test agency accredited by the Department of Health.

Further, the City Health Office shall control and monitor the delivery of water by water filling/refilling stations operating from other municipalities but catering to residents of Tuguegarao City.

**SECTION VIII.** Filling/Refilling stations operating outside the jurisdiction of the city whose products are distributed within the city are hereby required to secure a License to Operate (LTO) number from the BFAD and should be manifested the label of their product.

**SECTION IX. PENALTY CLAUSE.**

- a. Submitted samples found to be contaminated polluted and/or cannot meet the requirements of the Philippine National Standards for Drinking Water (PNSDW) shall be fined the amount of Five Thousand Pesos (P5,000.00) and the business permit shall be automatically suspended indefinitely until correction is done to make their products conform with the standards of PNSDW and fit for consumption as certified by the City Health Office.
- c. Any company found violating the provision of Section IV (GMP) of this ordinance shall be fined the amount of Three Thousand Pesos (3,000.00).

**SECTION X. TRANSITORY PROVISIONS:**

- a. All existing establishments operating within Tuguegarao City shall have six (6) months from the date of effectivity of this ordinance to comply with the standards and specifications herein stated. Failure of the owners/operators of bottled water filling/refilling stations to comply with this ordinance shall mean suspension of their Licenses to Operate until such time they shall have fully complied with this ordinance.



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- b. Application for permit after the date of effectivity shall have to comply with all the provisions of this ordinance.

**SECTION XI. REPEALING CLAUSE.** All existing ordinances and local issuances inconsistent with the provision of this ordinance are hereby repealed or modified accordingly

**SECTION XII. EFFECTIVITY.** This ordinance shall take effect 15 days after its publication and posting.

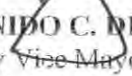
On motion of Hon. Danilo L. Baccay and without any objection, **CITY ORDINANCE NO. 47-2017** was **APPROVED** under suspended rules.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
JOEL JOSEPH L. EGIPIO, Ph.D. 10/13/17  
Secretary to the Sanggunian

ATTESTED:

  
HON. BIENVENIDO C. DE GUZMAN II  
City Vice Mayor  
Presiding Officer  
Date: 10/13/17

APPROVED:

  
HON. ATTY. JEFFERSON P. SORIANO  
City Mayor  
Date: 10/13/17

ed.