

[DOH, April 30, 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;

1.1.8 Illegal shanties in public or private properties.

1.2 All those that are engaged in offensive trades and occupations such as, but not 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 tame 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.

2.21 OFFAL — glands, tissues or other internal organs of a slaughtered animal.

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 BOILING — the process of boiling, 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.