

PD 856

Code on Sanitation of the Philippines

(December 23, 1975)



WHEREAS, the health of the people, being of paramount importance, all efforts of public services should be directed towards the protection and promotion of health; and

WHEREAS, with the advance in the field of sanitation in recent years, there arises the need for updating and codifying our scattered sanitary laws to ensure that they are in keeping with modern standards of sanitation and provide a handy reference and guide for their enforcement;

CHAPTER 1

GENERAL PROVISIONS

Section 1. Title The title of this Code is "Code on Sanitation of the Philippines".

Section 2. Definition of Terms Whenever any of the following words or terms is used herein or in any rule or regulation issued under this Code, it shall have the meaning given it in this section, as follows:

- (a) Code Code on Sanitation of the Philippines.
- (b) Department The Department of Health.
- (c) Secretary The Secretary of Health.
- (d) Regional Director an official who heads a Regional Health Office.
- (e) Local Health Authority an official or employee responsible for the application of a prescribed health measure in a local political subdivision.
- (f) Health Officer Provincial, City or Municipal Health Officer.
- (g) Engineer A Sanitary Engineer.
- (h) Section any section of this code unless the term refers to other statutes which are specifically mentioned.

Section 3. Functions of the Department of Health The Department shall have the following powers and functions:

(a) Undertake the promotion and preservation of the health of the people and raise the health standards of individuals and communities throughout the Philippines;

(b) Extend maximum health services to the people in rural areas and provide medical care to those who cannot afford it by reason of poverty;

(c) Develop, administer and coordinate various health activities and services which shall include public health, preventive, curative and rehabilitative programs, medical care, health and medical education services;

(d) Upgrade the standards of medical practice, the quality of health services and programs to assure the people of better health services;

(e) Assist local health agencies in developing public health programs including medical care, and promote medical and public health research;

(f) Issue permits to establish and operate government and private hospitals, clinics, dispensaries, schools of nursing, midwifery, and other para-medical course, puericulture centers, clinical laboratories and blood banks;

(g) Prescribe standard rates of fees for health, medical, laboratory, and other public health services; and

(h) Performs such other functions as may be provided by law.

Section 4. Authority of the Secretary In addition to the powers and authority of the Secretary which are provided by law, he is likewise empowered to promulgate rules and regulations for the proper implementation and enforcement of the provisions of this Code.

Section 5. Authority of the Bureau of Directors The Bureau Directors shall be responsible for staff activities involving the development of plans, programs, operating standards and management techniques in their respective field of assignment.

Section 6. Authority of the Regional Directors The Regional Directors shall administer health functions in their regions, implement policies, standards and programs involving health services; and enforce the provisions of this Code and the rules and regulations promulgated by the Secretary under this Code.

Section 7. Authority of the Health Officers The health officers shall administer health functions in areas under their jurisdiction and enforce the provisions of this Code and the rules and regulations promulgated by the Secretary under this Code.

Section 8. Miscellaneous Provisions

(a) International treaties, agreements and conventions The Republic of the Philippines recognizes international treaties, agreements and conventions on public health. Their provisions may be considered parts of this Code provided they do not contravene the Constitution, existing laws or any provision of this Code.

(b) Rights and proceedings Any proceeding which has commenced or any right which has accrued upon the effectivity of this Code shall not be affected by any of its provisions. However, matters of procedure and rights arising after the date of effectivity of this Code shall conform to the provisions hereof.

(c) Delegation of power and assignment of duty Whenever a power is granted or a duty is assigned to any public health officer in this Code, the power may be exercised by a deputy or agent of the official pursuant to law, unless it is expressly provided otherwise in this Code.

(d) Language required Any notice, report, statement or record required or authorized by this Code, shall be written in English or Pilipino.

(e) Mailing of notices Unless otherwise expressly provided, any notice required to be sent to any person by any provision of this Code, shall be sent through the postal service. The affidavit of the official or employee who mailed the notice is prima facie evidence that the notice was sent as prescribed herein.

(f) Condemnation and seizure of property When any property is officially condemned or seized by government authorities in the interest of public health, the owner thereof shall not be entitled to compensation.

(g) Command responsibility When a duty is expressly vested in a health officer as provided in this Code, it shall be understood that it shall likewise be the concern of the superiors of the health office under the principle of command responsibility.

CHAPTER II

WATER SUPPLY

Section 9. Prescribed Standards and procedures

Standards for drinking water and their bacteriological and chemical examinations, together with the evaluation of results, shall conform to the criteria set by the National Drinking Water Standards. The treatment of water to render it safe for drinking, and the disinfection of contaminated water sources together with their distribution systems shall be in accordance with procedures prescribed by the Department.

Section 10. Jurisdiction of the Department

The approval of the Secretary or that of his duly authorized representative is required in the following cases:

- (a) Sites of water sources before their construction;
- (b) Delivery of water to consumers from new or recently repaired water systems;
- (c) Operation of a water system after an order of closure was issued by the Department;
- (d) Plans and specifications of water systems of subdivisions and projects prior to the construction of housing units thereat; and
- (e) Certification of potability of drinking water.

Section 11. Types of Water Examinations Required

The following examinations are required for drinking water:

(a) Initial examination The physical, chemical and bacteriological examinations of water from newly constructed systems or sources are required before they are operated and opened for public use. Examination of water for possible radio-active contamination should also be done initially.

(b) Periodic examination Water from existing sources is subject to bacteriological examination as often as possible but the interval shall not be longer than six months, while general systematic chemical examination shall be conducted every 12 months or oftener. Examination of water sources shall be conducted yearly for possible radioactive contamination.

Section 12. Examining Laboratories and Submission of Water Samples

The examination of drinking water shall be performed only in private or government laboratories duly accredited by the Department. It is the responsibility of operators of water systems to submit to accredited laboratories water samples for examination in a manner and at such intervals prescribed by the Department.

Section 13. Other Protective Measures

To protect drinking water from contamination, the following measures shall be observed:

(a) Washing clothes or bathing within a radius of 25 meters from any well or other source of drinking water is prohibited.

(b) No artesian, deep or shallow well shall be constructed within 25 meters from any source of pollution.

(c) No radioactive sources or materials shall be stored within a radius of 25 meters from any well or source of drinking water unless the radioactive source is adequately and safely enclosed by proper shielding.

(d) No person charged with the management of a public water supply system shall permit any physical connection between its distribution system and that of any other water supply, unless the latter is regularly examined as to its quality by those in charge of the public supply to which the connection is made and found to be safe and potable.

(e) The installation of booster pump to boost water direct from the water distribution line of a water supply system, where low-water pressure prevails is prohibited.

CHAPTER III

FOOD ESTABLISHMENT

Section 14. Sanitary Permit

(a) No person or entity shall operate a food establishment for public patronage without securing a permit from the local health office. The term "food establishment" as used in this chapter means an establishment where food or drinks are manufactured, processed, stored, sold or served.

(b) Every Sanitary Permit shall be posted in a conspicuous place of the establishment.

(c) Fees The fees payable on application for permits and upon the issuances, renewal and noting of such certificates shall be in such amounts as the City of Municipal Authority may by resolution impose.

(d) Noting of Permit Within 14 days after any change in the ownership or occupancy of any establishment, the new occupant shall apply to the City or Municipal Health Officer to have such change noted in the records and on the permit certificate which he shall produce for the purpose and shall pay the corresponding fee in respect of such noting.

(e) Record of Permit Certificates

1. Every City or Municipality shall keep a record of all establishments in respect of which permits have been issued and of all permit certificates and renewals thereof.

(f) The record shall in every case show the following:

- i. The name and address of the holder of the permit who in every case shall be the actual occupier of the establishment;
- ii. The location of the establishment;
- iii. The purpose or purposes for which the permit has been issued;
- iv. The date the first permit was issued and the dates of any renewal thereof;
- v. Every change of occupation and management of the establishment since the first permit was issued; and
- vi. Conditions under which the permit was issued or any renewal thereof granted.

The record shall be available at all reasonable times for inspection by any officer of the Department of Health.

Section 15. Health Certificates

No person shall be employed in any food establishment without a Health Certificate issued by the local health authority. This certificate shall be issued only after the required physical and medical examinations are performed and immunizations are administered at prescribed intervals.

Section 16. Quality and Protection of Food All food must be obtained from sources approved by the local health authority. In this regard, the following requirements are applicable:

- (a) Meats, meat products and fish shall be procured from sources under sanitary or veterinary supervision.
- (b) All meat and fish shall be properly cooked before serving.
- (c) No meat products, fish, vegetables and other food sources shall be procured from sources or areas known to have been affected by radioactivity as for example, areas contaminated with a very large amount of radioactive fallout.
- (d) Milk and fluid milk products shall be obtained from sources approved by the local health authority. Milk obtained from other sources must be sterilized, pasteurized or otherwise heated.
- (e) Milk shall be stored in a refrigerator. Canned or package milk, other than dry milk powders, shall be refrigerated after the container has been opened.
- (f) All perishable and potentially hazardous foods shall be stored at 45_F (7_C) or below.

Cooked food intended to be served hot shall be kept at a temperature not lower than 140_F (60_C).

Raw fruits and vegetables shall be thoroughly washed before they are used.

Section 17. Structural Requirements Food establishments shall be constructed in accordance with the following requirements:

1. No person shall use any room or place for or in connection with the preparation, storage, handling or sale of any article of food

(a) Which is at anytime used or in direct communication with a sleeping apartment or toilet;

(b) In which any animal is kept; or

(c) Which is or has been used for any purpose which would be likely to contaminate the food or to affect injuriously its wholesomeness or cleanliness; or

(d) Which is not used exclusively for the purpose; Provided, That in department stores or multi-purpose business establishments, food may be manufactured, prepared, cooked, stored, or sold only in the area set aside exclusively for said purpose and for which a sanitary permit has been issued.

2. No sanitary permit shall be issued for any premises to be used for the preparation, handling and sale of food unless it is constructed in accordance with the following requirements:

(a) FLOORS The Floors shall be

i. Constructed of concrete or other impervious and easily cleaned material that is resistant to wear and corrosion and shall be adequately graded and drained; all angles between the floors and walls shall be rounded off to a height of not less than 3 inches (7.62 cm.) from the floor; or

ii. Constructed of wood with dovetailed or tongue and grooved floor boards laid on a firm foundation and tightly clamped together with all angles between the floor and walls rounded off to a height of 3 inches (7.62 cm.); or

iii. Constructed in accordance with the requirements of sub-clause (i) and (ii) of this clause and covered with linoleum, smooth surfaced rubber or similar material fixed to the floor with cement or suitable adhesive: Provided, That with the approval in writing of the local authority, floors may be covered with carpets or other floor covering in those parts of the premises where such carpets or coverings can be satisfactorily cleaned and maintained.

(b) WALLS

- i. The internal surface of walls shall have a smooth, even, non-absorbent surface capable of being readily cleaned without damage to the surface and constructed of dust-proof materials;
- ii. The walls, where subject to wetting or splashing, shall be constructed of impervious, non-absorbent materials to a height of not less than 79 inches (2 meters) from the floor;
- iii. The internal walls shall be painted in light colors or treated with such other wall finish as the health authority may prescribe.

(c) CEILINGS

- i. All ceilings or, if no ceiling is provided, the entire under-surface of the roof shall be dust-proof and washable.
- ii. The ceiling or undersurface of the roof of rooms in which food is prepared or packed or in which utensils or hands are washed shall be smooth, non-absorbent and light.

(d) LIGHTING

- i. The general standards of illumination provided shall permit effective inspection and cleaning and shall be of sufficient intensity appropriate to the purpose for which any room or place is used;
- ii. In rooms where food is prepared or packed or in which utensils or hands are washed there shall be a minimum illumination intensity of 20 foot-candles; in premises where food is consumed, there shall be a minimum illumination intensity of 5 foot-candles. Intensities of illumination shall be measured at a point 30 inches (76.20 cm.) above the floor;
- iii. All lighting shall be reasonably free from glare and distributed so as to avoid shadows;
- iv. At other areas or working surfaces, the illumination shall be of such intensity as may be required by the health authority.

CHAPTER IV

MARKETS AND ABATTOIRS

Section 34. Prescribed Standards of Construction The construction of markets and abattoirs shall conform to standards prescribed by the Department. These standards shall be set along the following guidelines:

1. Suitability of site insofar as elimination of nuisance condition and prevention of contamination are concerned;
2. Availability of ample water supply for cleaning;
3. Accessibility of adequate drainage facilities;
4. Durability of construction to protect vendors and customers from any hazard and exposure to the elements; and
5. Facilities for sanitation maintenance, such as cleaning and elimination of harborages of vermin.

Section 35. Responsibility of the Local Health Authority

(a) On Markets

1. Make periodic inspections to ascertain the maintenance of adequate sanitary conditions of markets and their premises;
2. Supervise and control the proper care and use of market stalls;
3. Prohibit the construction of living quarters within any market and its premises;
4. Enforce the ban on construction of partitions, sheds or booths within the market area.

(b) On Abattoirs

1. Supervise the maintenance of adequate sanitation in abattoirs and their premises;

2. Enforce the requirements on the examination of meat as provided in existing laws;
3. Permit the slaughter of animals for public consumption in other designated areas in certain exigencies, provided public health is adequately protected;
4. Supervise the sanitary disposal of all abattoir wastes; and
5. Ensure that only healthy animals shall be slaughtered, and that the method of slaughtering, the techniques of dressing and the storing, handling and transporting procedures are in accordance with prescribed standards.

Section 36. Responsibility of Local Governments and Private Operators
Local governments and private operators in charge of public or private markets and abattoirs shall employ an adequate number of personnel to ensure their efficient operation and hygienic maintenance. These employees shall be under the direct supervision of the local health authority.

CHAPTER V

PUBLIC LAUNDRY

Section 37. Sanitary Permit No public laundry shall operate without a sanitary permit from the Secretary or his duly authorized representative. As used in this Chapter, a public laundry is a laundry established and operated for commercial purposes, open to the public, and not to an exclusive clientele.

Section 38. General Requirements The construction and operation of a public laundry shall be governed by the following requirements:

(a) Structural Requirements

1. The site should be distant from sources of nuisance.
2. Only durable construction materials shall be used.
3. Smooth and water-tight materials shall be used for flooring.
4. All work rooms shall be properly ventilated and provided with 10 foot-candles of lighting.
5. Adequate drying facilities shall be provided and articles for drying protected from sources of contamination.

CHAPTER VI

SCHOOL SANITATION AND HEALTH SERVICES

Section 40. Definition of Terms As used in this Chapter, the following terms shall mean:

- (a) School An institution of learning which may be public, private or parochial.
- (b) Special School A school which utilizes cadavers, plants, animals, bacterial and viral cultures for studies and research.
- (c) Physical Environments The school plant, grounds and facilities.
- (d) Emotional Environment Factors which affect the emotional health of students and members of the faculty.

Section 41. The Physical Environment In the design and construction of the school plant, the following factors shall be considered:

- (a) Site Traffic hazards are to be avoided but not to the point of sacrificing accessibility to public transportation. It shall be distant from sources of nuisances.
- (b) Grounds The acreage shall be large enough to permit playgrounds, athletic fields and school gardens.

CHAPTER VII

INDUSTRIAL HYGIENE

Section 45. Sanitary Requirements for Operating an Industrial Establishment The following sanitary requirements shall be applicable to industrial establishments:

(a) No person, firm, corporation, or entity shall operate any industrial establishment without first obtaining a sanitary permit from the Secretary or his duly authorized representatives.

(b) Industrial establishments shall be allowed to operate only in places or zones assigned for the kind of industry by existing zoning laws, ordinances, or policies. The local health authority shall determine the suitability of location where no zoning law, ordinance or policy exists.

(c) Adequate potable water supply shall be provided to employees.

(d) Sewage disposal shall be by means of a municipal or city sewerage system whenever possible. If no municipal or city sewerage system exists it shall be done in accordance with the provisions of this Code. Adequate and conveniently located toilet and bath facilities shall be provided for each sex.

(e) All wastes incident to the operation of the industrial plant shall be collected, stored, or disposed of in a manner to prevent health hazards, nuisances, and pollution. Where a city or municipal collection and disposal system exists, it should be utilized.

CHAPTER VIII

PUBLIC SWIMMING OR BATHING PLACES

Section 51. Sanitary Permit No public swimming and bathing places shall be operated for public use without a sanitary permit issued by the Secretary or his duly authorized representative.

Section 52. Protection of Customers To protect the health and safety of persons who use them, the Department shall promulgate:

(a) Rules and regulations concerning:

1. Correct sanitary practices for persons swimming or bathing to prevent the transmission of communicable diseases;
2. Correct sanitary procedures for personnel working in those places to maintain their adequate sanitation and cleanliness of accessories used by customers;
3. Adequate number of trained personnel and necessary equipment needed for life-saving and rescue work;
4. Post conspicuous signs to warn the public of the presence of artificial or natural hazards; and

CHAPTER IX

REST AREAS, BUS TERMINALS, BUS STOPS, AND SERVICE STATIONS

Section 54. Rest areas, bus terminals, bus stops and service station areas with one or more permanent sheds, buildings and service facilities for motor vehicles shall be provided with sanitary facilities for the convenience and personal necessities of the travelling public.

(a) Rest areas, bus terminals, bus stops and service stations shall be established with ample area to prevent overcrowding of motor vehicles and travellers.

(b) They shall be provided with adequate ventilation and lighting and away from sources of nuisance.

(c) Safe and adequate water supply shall be provided in accordance with the provisions of Chapter II of this Code.

(d) Excreta and sewage collection and disposal shall be provided in accordance with the provisions of Chapter XVII of this Code.

(e) Refuse collection and disposal shall be in accordance with the provisions of Chapter XVIII of this Code.

(f) Comfort rooms Adequate number of comfort rooms shall be provided as well as auxiliary facilities therein in accordance with the provisions on Chapter XVII of this Code.

(g) Waiting sheds for commuters shall be of adequate size to comfortably accommodate a minimum of thirty (30) persons. Floors shall be of smooth concrete finish and adequate sitting facilities provided for.

CHAPTER X

CAMPS AND PICNIC GROUNDS

Section 55. No camps and picnic grounds shall be open for public patronage without a sanitary permit issued by Secretary or his duly authorized representative.

(a) Camps and picnic ground sites shall not be subject to flooding, must be well drained, distant from any source of nuisance and will not endanger sources of any public water supply.

(b) Camp and picnic houses shall be provided with adequate lighting and ventilation. Where tents are used flooring shall be at least 4 inches above the ground.

(c) Adequate and safe drinking water shall be available at all times in accordance with the provisions of Chapter II of this Code.

(d) Adequate number of sanitary facilities shall be provided.

(e) Sewage disposal shall be in accordance with the provisions on Chapter XVII of this Code.

(f) The storage, preparation and serving of food shall be in accordance with Chapter III of this Code.

(g) Refuse cans shall be provided at strategic points in the ground area provided with tight fitting cover. A regular collection service shall be maintained. Refuse disposal shall be in accordance with the provisions of Chapter XVIII of this Code.

CHAPTER XI

DANCING SCHOOLS, DANCE HALLS AND NIGHT CLUBS

Section 56. General Provisions The following provisions are applicable to dancing schools, dance halls and night clubs:

- (a) These establishments shall be operated and opened for public patronage only when a sanitary permit is issued by the local health authority.
- (b) These establishments and their premises shall be kept clean and sanitary at all times.
- (c) Patrons shall be provided with adequate potable water and toilet facilities in accordance with standards prescribed by this Code.
- (d) There shall be no private rooms or separate compartments for public use except those used for lavatories, dressing rooms, bars and kitchens.

- **Section 57. Special Provisions** The following provisions are applicable in cases herein specified:

(a) For dancing schools

No person shall be employed as a dancing instructor or instructress without first securing a health certificate from the local authority.

(b) For dance halls and night clubs

1. No person shall employed as hostess or cook or bartender or waiter without first securing a health certificate from the local health authority.

2. The storage, preparation and serving of food and drinks shall be in accordance with the provisions prescribed in Chapter III of this Code.

CHAPTER XII

TONSORIAL AND BEAUTY ESTABLISHMENTS

- **Section 58.** Definition of Terms As used in this Chapter, the term "Tonsorial and Beauty Establishments" include barber shops, beauty parlors, hairdressing and manicuring establishments and figure slendering salons.

(a) Requirements. These establishments are subject to the following requirements:

1. A sanitary permit shall be procured from the local health authority before their operation.
2. They shall be maintained clean and sanitary at all times.
3. No person shall be employed to service customers without a health certificate issued by the local health authority.

(b) Correct Sanitary Practices. The following sanitary practices shall be observed.

1. Working personnel shall wash their hands with soap and water before servicing customers.
2. They shall wear clean working garments.
3. They shall not smoke nor eat while working.
4. Implements of their trade shall be cleaned and disinfected before and after their use.

CHAPTER XIII

MASSAGE CLINICS AND SAUNA BATH ESTABLISHMENTS

Section 59. Definition of Terms As used in this Chapter the following shall mean:

(a) Massage. A method wherein the superficial soft parts of the body are rubbed or stroked or kneaded for remedial or aesthetic or hygienic purposes.

(b) Massage Clinic. An establishment where massage is administered to customers.

(c) Masseur. A trained person duly licensed by the Secretary or his authorized representative to perform massage and to supervise massage clinic attendants.

(d) Massage Clinic Attendant. A trained person duly permitted by the Secretary or his authorized representative to massage customers under the guidance and supervision of a masseur.

(e) Sauna Bath Establishment. An establishment where customers are exposed to steam which is generated by sprinkling water on hot stones or by some other means.