
A BILL FOR AN ACT

To amend Section 1004 of Title 34 to empower the Director of the Bureau of Health Services to ban importation and sale of foods or medicines reported to be dangerous for human consumption, and for other related purposes.

THE PEOPLE OF THE REPUBLIC OF PALAU REPRESENTED IN THE OLBIIL ERA KELULAU DO ENACT AS FOLLOWS:

1 **Section 1. Short Title.** This Act shall be cited as the "Food and Drug Safety Act of
2 2009."

3 **Section 2. Legislative Findings.** The Olbiil Era Kelulau finds that the government
4 should have the authority to respond to the problems of extremely poisonous substances, such
5 as melamine, found in certain food and drugs that people throughout the world, including in
6 Palau, consume on a regular basis. This legislation establishes that authority of control over
7 such harmful substances.

8 **Section 3. Amendment.** 34 PNC §1004 is hereby amended to read as follows:

9 **"§ 1004. Standards for and inspection of food and non-prescription, over-the-**
10 **counter drugs.**

11 (a) All food and medicine offered for public sale shall be subject to inspection by
12 duly authorized representatives of the Bureau of Health Services. Food for human
13 consumption which is adjudged by the representative to be unsanitary or of questionable
14 sanitary condition because of contamination, spoilage, animal or insect infestation,
15 adulteration or age shall, as directed by the representative, ~~either be destroyed, used as animal~~
16 ~~food, or labeled to describe its true condition.~~

17 (b) Any canned, bottled or packaged foodstuffs ~~which are~~ labeled pursuant to the laws
18 or regulations of their country of origin ~~and which specify the date by which such foodstuffs~~
19 ~~must be sold or consumed~~ are conclusively presumed to be of questionable sanitary condition
20 if ~~such~~ the date by which such foodstuffs should be sold or consumed has expired, or if no
21 such date appears on the label, and may be disposed of by the Director of the Bureau of Health
22 Services at any time in accordance with the provisions of this section.

23 (c) The Director of the Bureau of Health Services may ban the importation and sale

1 of any canned, bottled, or packaged foods or medicines that have been identified as dangerous
2 for human consumption by the U.S. Food and Drug Administration, the World Health
3 Organization, or other internationally recognized organization addressing food and drug
4 safety.

5 (d) All canned, bottled or packaged foodstuffs offered for public sale shall be labeled
6 in English or Palauan.

7 (e) All non-prescription, over-the-counter medications offered for public sale shall be
8 labeled in English with the following information:

9 (1) Name of the drug (generic or non-proprietary name);

10 (2) Active ingredients;

11 (3) Amount of active ingredients per unit;

12 (4) Batch or lot code;

13 (5) Dates of manufacture and expiration;

14 (6) Directions and dosage; and

15 (7) Storage directions.”

16 **Section 4.** Effective date. This Act shall take effect upon its approval by the
17 President of the Republic of Palau, or upon its becoming law without such approval.

Date: 1-28-09

Introduced by: /s/

Senator Hokkons Baules

/s/

Senator Regina K. Mesebeluu

/s/

Senator Kathy Kesolei