

SENATE
S.B. No. 3317

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 2, section 13 states: "The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. xxx"

The Constitution, Article 2, section 15 provides: "The State shall protect and promote the right to health of the people and instill health consciousness among them."

The problem of obesity has affected not only the rich Western countries but also the Asian countries that experienced rapid economic and epidemiological transition in the past 20 years. The effect of this transition created a situation where overweight and obesity became prevalent especially among children.

Obesity is indeed a global problem that needs to be addressed. Countries have developed various strategies and anti-obesity programs to lessen this condition, as well as the health hazards associated with it.¹

This bill seeks to establish a pilot program that requires schools to post nutritional content information regarding foods served at schools and to teach students how to make healthy food selections.


MIRIAM DEFENSOR SANTIAGO

¹ <http://www.fnri.dost.gov.ph/index.php?option=content&task=view&id=972>.



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1 AN ACT
2 ESTABLISHING A PILOT PROGRAM THAT REQUIRES SCHOOLS TO POST
3 NUTRITIONAL CONTENT INFORMATION REGARDING FOODS
4 SERVED AT SCHOOLS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

5 SECTION 1. *Short Title.* – This Act shall be known as the “Healthy Food Choices
6 for Kids Act of 2009”.

7 SECTION 2. *Definition of Terms.* – For purposes of this Act, the term:

- 8 a. “Secretary” refers to the Secretary of the Department of Education;
9 b. “Nutritionist-dietitian” refers to any person who meets the educational and
10 training requirements to become a licensed nutritionist-dietitian by the
11 Professional Regulation Commission;

12 SECTION 3. *School Lunch Labeling and Nutritional Awareness Pilot Program.* –

13 A. In General. – The Secretary shall award grants to not more than 5 regions to
14 assist not more than 10 schools in each of such regions in carrying out a pilot program
15 that requires schools:

- 16 1. To post nutritional content information in school cafeterias regarding the food
17 items served in the cafeterias; and
18 2. To teach students about how to make healthy food selections.

19 B. Grant Amount. – The Secretary shall ensure that each grant awarded is of
20 sufficient size and scope to carry out the pilot program.

1 C. Duration of Grants. – The Secretary may award grants for multiple years to
2 regions that meet the grant requirements.

3 D. Grant Requirement. – To qualify to receive a grant, a region shall submit an
4 application to the Secretary at such time, in such manner, and containing such
5 information and assurances as the Secretary may require, including:

- 6 1. An assurance that the region will ensure that each school awarded a subgrant
7 meets the pilot program requirements within 1 year of such subgrant award;
- 8 2. A plan to inform all the schools within the region about the pilot program and
9 the school application requirements;
- 10 3. An assurance that the region will use not less than 95 percent of the grant
11 funds to award subgrants to schools;
- 12 4. An assurance that the region will award such subgrants to at least 3, but not
13 more than 5, schools in such region that have in effect a program to provide
14 nutritional content information regarding food items served in the cafeterias of
15 such schools to students attending such schools; and
- 16 5. An assurance that the region will award such subgrants to at least 3, but not
17 more than 5, schools that are located in the rural areas of such region.

18 E. Subgrant Requirements. – To qualify to receive a subgrant, a school shall
19 submit an application to a region receiving a grant at such time, in such manner, and
20 containing such information and assurances as the Secretary may require, including:

- 21 1. A plan for implementing the pilot program, including:
 - 22 (i) Efforts to ensure that nutritional content information, including caloric
23 information, regarding the food items served in the school’s cafeteria is posted in
24 a visible location at the point of decision in the cafeteria and that such information
25 is readable and appropriate for the students who attend the school and the parents
26 or legal guardians of such students;
 - 27 (ii) Efforts to develop and implement, or expand a school wellness
28 program or other nutritional awareness program to include an educational
29 program to teach students at the school about making healthy food selections; and

1 (iii) Efforts to consult with a licensed nutritionist-dietitian at least once a
2 year regarding the pilot program requirements described in clauses (i) and (ii) and
3 any related nutritional matters;

4 3. A certification of support for participation in the pilot program signed by the
5 school food manager, school nurse, school principal, and district
6 superintendent (or equivalent positions, as determined by the school); and

7 4. Whether the school plans to post the nutritional content information on the
8 school's website.

9 F. Guidance; Encouragement. –

10 1. Guidance. – The Secretary shall provide guidance to the regions and schools
11 receiving grants or subgrants to assist such regions and schools in meeting the
12 requirements.

13 2. Encouragement. – The Secretary shall encourage schools receiving subgrants to
14 post the nutritional content information, including caloric information, regarding food
15 items served at the school on the school's website.

16 G. Reports. –

17 1. Each region receiving grant funds shall submit a report at such time, in such
18 manner, and containing such information as the Secretary may require.

19 2. Not later than 1 year after the effective date of this Act and every 2 years
20 thereafter, the Secretary shall submit a report to the Committees on Education, Arts and
21 Culture, and Agriculture and Food of the House of Representatives and Senate that
22 contains:

23 (i) The number of schools receiving subgrants; and

24 (ii) A detailed description of the status of the pilot program carried out by
25 each school, including a list of program accomplishments and challenges, and an
26 evaluation of the effectiveness of the program, in each school.

27 SECTION 4. *Appropriations.* – The funds needed for the initial implementation
28 of this Act shall be charged against the appropriations of the Department of Education.

1 Thereafter, such amount as may be necessary for its full implementation shall be included
2 in the annual General Appropriations Act as a distinct and separate item.

3 SECTION 5. *Separability Clause.* – If any provision or part hereof, is held invalid
4 or unconstitutional, the remainder of the Act or the provision not otherwise affected shall
5 remain valid and subsisting.

6 SECTION 6. *Repealing Clause.* – Any law, presidential decree or issuance,
7 executive order, letter of instruction, administrative order, rule or regulation contrary to,
8 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
9 accordingly.

10 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
11 its publication in at least two (2) newspapers of general circulation.

12 Approved,

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