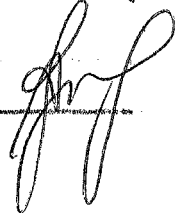


THIRTEENTH CONGRESS OF THE REPUBLIC)
 OF THE PHILIPPINES)
 First Regular Session)

'04 JUN 30 P1:06

RECEIVED BY: 

SENATE
 S.B. NO. 106

Introduced by Senator LUISA "LOI" P. EJERCITO ESTRADA

EXPLANATORY NOTE

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 public is increasingly exhibiting an increasing interest in reliable information concerning nutrition and the relationship of nutrition to human health, and are making personal nutrition choices based on such information. Unfortunately, they often receive conflicting and confusing messages about nutrition and the relationship of nutrition to health.

The country's information base concerning nutrition and health is fragmentary, often difficult to identify, and includes significant gaps in knowledge concerning the relationship between nutrition and the occurrence of certain diseases and adverse health conditions.

Hence, this bill seeks to establish within the Department of Health a permanent council on nutrition and health, whose main task will be to identify and disseminate sound information on the relationship between nutrition and health and the gaps in knowledge that require additional research and attention.

Foregoing premises considered immediate approval of this proposed measure is highly recommended.

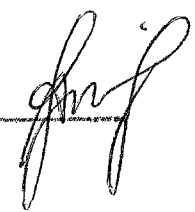


LUISA "LOI" P. EJERCITO ESTRADA
 Senator

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUN 30 P 1:06

RECEIVED BY: _____



SENATE
S.B. NO. 106

Introduced by Senator LUISA "LOI" P. EJERCITO ESTRADA

**AN ACT
TO ESTABLISH WITHIN THE DEPARTMENT OF HEALTH A PERMANENT
COUNCIL ON NUTRITION AND HEALTH**

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

SECTION 1. *Short title.* - This Act shall be known as the "Nutrition and Health Act."

SEC. 2. *Purpose.* - The purpose of this Act is to establish within the Department of Health a Council on Nutrition and Health that will assemble the existing information on the relationship between nutrition and human health, monitor the progress of ongoing research, identify the aspects of the relationship between nutrition and health that require additional research, maintain the base of information in an understandable and retrievable fashion, and serve as a clearinghouse for information on the relationship between nutrition and human health.

SEC. 3. *Definitions.* - As used in this Act-

(1) "*Council*" means the Council on Nutrition and Health, as established in section 4(a).

(2) "*Secretary*" means the Secretary of the Department of Health.

SEC. 4. *Establishment and Staffing of the Council on Nutrition.*-

(a) *Establishment.* – The Council on Nutrition and Health is hereby established within the Department of Health..

(b) *Membership.* -

(1) *Appointment.* - The Council shall consist of nine (9) voting members, all of whom shall be appointed by the President.

(2) *Eligibility for Membership.* - The members of the Council shall be chosen from among individuals who are knowledgeable in the fields of health, human nutrition, food production and distribution, and agriculture. Such members shall be selected solely on the basis of an established record of distinguished service in the areas of expertise of such individuals.

(3) *Ex-Officio Members.* - The Secretary and the Secretary of Agriculture shall be ex officio members of the Council.

(c) *Term of Office.* -

(1) *In General.* - Each member of the Council shall be appointed for a term of three (3) years, except that members appointed to the initial Council shall serve, proportionately, for terms of 1, 2, and 3 years, as determined by the Secretary at the time of appointment.

(2) *Vacancy.*- A member of the Council who is appointed to fill a vacancy in the Council occurring prior to the expiration of the term for which the predecessor of such member was appointed, shall be appointed pursuant to subsection (b)(1) only for the remainder of the term of his predecessor.

(3) *Expiration of Term.* - A member of the Council may serve after the expiration of the term of office of such member until the successor for such member has taken his oath and assumed office.

(4) *Eligibility For Successive Terms.* - A member of the Council shall be eligible to serve successive terms of office.

(d) *Leadership of Council* ---

(1) *Selection.* - A Chairperson and a Vice Chairperson of the Council shall be selected by the President from among the members of the Council.

(2) *Term of Office.* - The Chairperson and Vice Chairperson of the Council, as referred to in paragraph (1), shall serve for term of three (3) years.

(e) *Meetings of Council.* -

(1) *Frequency of Meetings.* - The Chairperson of the Council, as referred to in subsection (d), shall convene a meeting of the Council not less than once during each three (3)-month period.

(2) *Quorum.* - At a properly convened meeting of the Council, the presence of five (5) Council members shall constitute a quorum.

(f) *Compensation.* - A member of the Council shall be paid or reimbursed for travel to and from the place of service of such member and for other expenses associated with the responsibilities as a member of the Council.

- (g) *Staff.*- The staff of the Council shall be permanent employees of the Department of Health of such rank, grade, and function as considered to be appropriate by the Secretary.

SEC. 5. Responsibilities of the council.

(A) *In General.* - The Council shall-

- (1) assemble the existing information on the relationship between nutrition and health;
- (2) identify and collect the ongoing research within the various national and local governmental agencies, the private sector in the country, and in foreign countries;
- (3) identify the aspects of the relationship between nutrition and health that require additional research;
- (4) monitor ongoing research into the role of nutrition in health, including --
 - (a) methods by which the nutritional value of domestically produced food products may be improved;
 - (b) the relationship between the consumption of specific foods and nutrients and the incidence and treatment of specific diseases and conditions; and
 - (c) the optimal level of foods and nutrients that are appropriate under various health conditions to maximize specific human capabilities;
- (5) monitor the progress of nutrition education efforts among the health profession, other segments of the society, and the general public; and
- (6) maintain an understandable and retrievable database of existing scientific information on the relationship of nutrition and health and serve as a clearinghouse for such information.

- (B) *Rules and Regulations.* - The Council is authorized to adopt such rules and regulations as maybe necessary to carry out this Act.

SEC. 6. *Responsibility of other agencies to cooperate with the council.* - Each agency and private entity that is performing nutrition research that is completely or partially funded by appropriated funds shall cooperate with the Council by informing the Council of the research of such agency or entity, and by filing a copy of the final report of the product of such research with the Council.

SEC. 7. *Treatment Of Information On File.* - Submission of information or data on the relationship between nutrition and health to the Council shall not affect statutory law trademark status, copyright, or patent rights.

SEC. 8. *Reports.* -

(a) *In General.* - Not later than December 31 of each year, the Council shall submit a report to the Secretary on the progress of its work and any areas of suggested research into the relationship between nutrition and health.

(b) *Distribution.* - Following the receipt by the Secretary of the annual report of the Council under subsection (a), the Secretary shall immediately distribute such report, along with recommendations of the Secretary regarding such report, to the President, the Secretary of Agriculture, and the appropriate committees of the Congress as well as to such other agencies and departments as the Secretary considers appropriate.

SEC. 9. *Authorization Of Appropriations* – The appropriation from the National Treasury of such sums that may be necessary to carry out this Act is hereby authorized.

SEC. 10. *Separability Clause.* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 11. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provision of this Act is hereby repealed, modified or amended accordingly.

SEC. 12. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,