

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



Senate
Office of the Secretary

'16 JAN 25 P5:12

SENATE
S. No. 3115

RECEIVED BY: *J*

Introduced by Senator Miriam Defensor Santiago

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

EXPLANATORY NOTE

The Constitution, Article 2, provides:

Section 13. 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...

Section 15. 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.

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.¹

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed during the Fourteenth Congress, Second Regular Session.

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

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

3 SECTION 2. *Definitions.* – For purposes of this Act the term –

4 A. “Nutritionist-dietitian” refers to any person who meets the educational and
5 training requirements to become a licensed nutritionist-dietitian by the Professional
6 Regulation Commission; and

7 B. “Secretary” refers to the Secretary of the Department of Education.

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

9 A. In General. – The Secretary shall award grants to not more than five regions to
10 assist not more than ten schools in each of such regions in carrying out a pilot program
11 that requires schools:

12 1. To post nutritional content information in school cafeterias regarding the
13 food items served in the cafeterias; and

14 2. To teach students about how to make healthy food selections.

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

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

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

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

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

- 24 1. A plan for implementing the pilot program, including:
 - 25 a. Efforts to ensure that nutritional content information, including
26 caloric information, regarding the food items served in the school's

1 cafeteria is posted in a visible location at the point of decision in the
2 cafeteria and that such information is readable and appropriate for
3 the students who attend the school and the parents or legal guardians
4 of such students;

5 b. Efforts to develop and implement, or expand a school wellness
6 program or other nutritional awareness program to include an
7 educational program to teach students at the school about making
8 healthy food selections; and

9 c. Efforts to consult with a licensed nutritionist-dietitian at least once a
10 year regarding the pilot program requirements described in clauses
11 (a) and (b) and any related nutritional matters;

12 2. A certification of support for participation in the pilot program signed by
13 the school food manager, school nurse, school principal, and district
14 superintendent (or equivalent positions, as determined by the school); and

15 3. Whether the school plans to post the nutritional content information on the
16 school's website.

17 **F. Guidance; Encouragement. –**

18 1. *Guidance.* – The Secretary shall provide guidance to the regions and
19 schools receiving grants or subgrants to assist such regions and schools in
20 meeting the requirements.

21 2. *Encouragement.* – The Secretary shall encourage schools receiving
22 subgrants to post the nutritional content information, including caloric
23 information, regarding food items served at the school on the school's
24 website.

1 G. Reports. –

- 2 1. Each region receiving grant funds shall submit a report at such time, in such
3 manner, and containing such information as the Secretary may require.
- 4 2. Not later than one year after the effective date of this Act and every two
5 years thereafter, the Secretary shall submit a report to the Committees on
6 Education, Arts and Culture, and Agriculture and Food of the House of
7 Representatives and Senate that contains:
- 8 a. The number of schools receiving subgrants; and
- 9 b. A detailed description of the status of the pilot program carried out
10 by each school, including a list of program accomplishments and
11 challenges, and an evaluation of the effectiveness of the program, in
12 each school.

13 SECTION 4. *Appropriations.* – The funds needed for the initial implementation of
14 this Act shall be charged against the appropriations of the Department of Education.
15 Thereafter, such amount as may be necessary for its full implementation shall be included
16 in the annual General Appropriations Act as a distinct and separate item.

17 SECTION 5. *Separability Clause.* – If any provision of this Act is held invalid or
18 unconstitutional, the same shall not affect the validity and effectivity of the other
19 provisions hereof.

20 SECTION 6. *Repealing Clause.* – All laws, decrees, orders, and issuances, or
21 portions thereof, which are inconsistent with the provisions of this Act, are hereby
22 repealed, amended or modified accordingly.

23 SECTION 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
24 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,
/ml23Nov2015