

13TH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
1ST REGULAR SESSION

'04 JUN 30 P10:36

SENATE
S.B. No. 1170

RECEIVED BY: 

INTRODUCED BY SENATOR RAMON B. MAGSAYSAY, JR.

EXPLANATORY NOTE

The malnutrition level among our children population remains unchecked. There are now close to 3.67 million children nationwide representing 25% of the entire school children. Move not and the problems persist and will worsen. Apropos to the mentioned statistics are the study stating that there are 5 out of 10 Filipino children suffering from varying degrees of malnutrition based on the nutrition survey of the Department of Education, Culture and Sports (DECS).

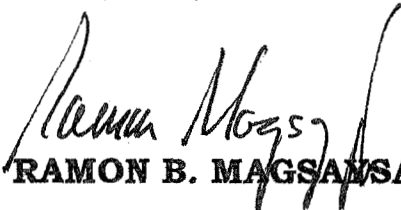
Scientific study disclosed that healthy persons need nutritious food. And milk has been identified as one complete and nutritious food. It supplies more of the essential nutrients in significant amounts than any other single food. Milk and milk products can play a vital role in providing the basic nutrition the Filipino citizenry needs especially its growing children population. The state is cognizant of the fact that a prosperous nation is a product of a healthy citizenry.

Significantly, one of the trusts of the Estrada administration is the improvement of the nutritional status of children through the School Milk Feeding Program. This is currently being done by the National Dairy Authority (NDA) supported by the Departments of Agriculture, Education, Health and Social Welfare, local government units and individuals in areas where modest local dairy operations are present.

Since its inception, the program reach and achievements remain minimal. The National Dairy Authority (NDA) reported that barely 1.5% of the 3.7 million malnourished children nationwide, or only a little over 50,000 children has been benefited since 1995. The National Milk Feeding Program will impact directly the health of the young citizens and will stimulate and energize agro-industry development and thus help improve rural incomes.

This bill seeks to institutionalize the government's Milk Feeding Program and compound it with the necessary budgetary appropriations and provide the necessary mechanisms to effect a program that will reach the will reach the millions and millions of Filipino children.

Early approval of this Act is earnestly sought.


RAMON B. MAGSAYSAY, JR.

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**AN ACT
PROTECTING THE FILIPINO CHILDREN FROM MALNUTRITION
INSTITUTIONALIZING FOR THIS PURPOSE "THE MILK FEEDING
PROGRAM", APPROPRIATING FUNDS THEREFORE AND FOR OTHER
PURPOSES**

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

Section 1. *This Act shall be known as the "MILK FEEDING ACT
OF 2004"*

Section 2. *Declaration of Policy*---The State shall ensure the health
welfare of the vulnerable children population and shall institute effective
mechanisms to carry out this policy. The State shall ensure the supply of
regular food supplement for children in order to create a future
generation of physically and mentally alert youth.

Section 3. *Milk Feeding Defined*---Milk feeding as used in this Act
shall cover distribution of locally produced fresh milk from cows,
carabaos and goats for direct intake of children ages 5-10 years old
nationwide. The fresh milk shall come from the produce of the local milk
suppliers and milk feeding sponsors, private or government. No milk
intended for milk feeding shall be used for commercial sale.

Section 4. *Priority Coverage*--- Priority shall be given to children
who are in the barangay day care centers, pre-schools and school s
located in the rural areas of the country and where prevalence of
malnutrition is high. Second priorities are those nursing mothers,
pregnant and elder persons who also reside in the rural communities.

Section 5. *The Milk Feeding Fund*---It is hereby allocated an initial
amount of **THREE HUNDRED MILLION PESOS (P300M)** out of the 1999
total tax collection of the National Government from the importation of
milk and dairy products as well as dairy equipment and implements in
order to enhance and augment the existing funds for the National Milk
Feeding Program of the National Dairy Authority. Said allocation shall
constitute the seed money for the Milk Fund.

Annually, thereafter, the Milk Feeding Fund shall be augmented by
seventy-five percent (75%) of the annual tax collection of the National
Government from the importation of milk and dairy products as well as
dairy equipment and implements; seventy percent (70%) of which shall
be used for the National Milk Feeding Program and the balance of thirty
percent (30%) shall be used for other dairy and dairy-related activities.

Section 6. Funding Alternatives---In the event that the milk import tariff fund allocation is not available due to previous utilization commitment, alternative sourcing shall be automatically effected equivalent to either:

- At least 10% of the generated funds resulting from the flotation of the ERAP Bonds, grant of RP Food Aid Fun, Overseas Development Assistance Fund and other confirmed fund assistance to the Philippine Government, or
- At least ½ of 1% of the Annual Approved General appropriation Budget of the Government

Section 7. Facilitation of Funding---The Department of finance and the Department of Budget and Management are hereby directed to set aside the above amount from the taxes collected on the importation of milk and dairy product as well as dairy equipment and implements and, or to secure the stipulated 10% automatic allocation against all confirm fund assistance cited in Section, or to allocate the ½ of 1% of the Annual Approval General Appropriation budget of the Government, whichever fund is available.

Section 8. Implementing Authority---The National Dairy, Authority, consistent with its mandate under Republic Act No. 7884, is hereby authorized the utilization of the aforesaid funds for the Nation Milk Feeding Program and other dairy and dairy-related development activities. The NDA shall tap bonafide and reputable women's organizations as milk feeding partners as well as other government agencies and non-government organizations (NGOs) with social reform, pro-poor and pro-child agenda.

Section 9. Milk Feeding Incentives---Any private entity or benefactor, local or foreign who supports the Milk Feeding Program in whatever forms, shall be given due tax credit equivalent to 100% of the value of their contribution to the program.

Section 10. Repealing Clause--- All acts, executive orders, administrative orders, proclamations, rules and regulations or parts thereof inconsistent with any of the provisions of this Act are hereby repealed or modified accordingly.

Section 11. Separability Clause---If any provision or section of this Act or the application thereof to any person, association, or circumstances is held invalid, the other pertinent provisions or section of this Act and their application to such person, association or circumstances shall not be affected thereby.

Section 12. Effectivity---This act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation or in the Official Gazette, whichever comes earlier.

Approved