


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

'16 JUL 20 P3:22

SENATE
S.B. No. 673

RECORDED BY: 

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT
MANDATING THE DISPLAY OF NUTRITIONAL INFORMATION ON THE MENU OF FOOD
ESTABLISHMENTS

EXPLANATORY NOTE

"The State shall protect and promote the right to health of the people and instill health consciousness among them" – Section 15, Article 2, 1987 Philippine Constitution.

While the number of *foodies* is growing with the number of must-try eating establishments around the country, we are confronted with the challenge of eating healthy and balanced diets. And though the love of food is an integral part of the Filipino identity, we must do our part in battling the health concerns that plague our society.

In the Philippines, cardiovascular disease is the leading cause of mortality, accounting for 30.2% of deaths among Filipinos in 2003 according to a report from the Department of Health (DOH).

In addition, the risk for noncommunicable diseases increases, with increases in body mass index. The World Health Organization (WHO) expects that the percentage of Filipino obese men over thirty will increase from 23% of the population in 2005 to 24% in 2015, while the rate for women will increase from 34% in 2005 to 44% in 2015.

The WHO also noted that 80% of premature heart disease, stroke, and type two diabetes and 40% of cancers can be prevented through a healthy diet.

While we are well aware of the nutritional content of the food we consume from supermarkets, Filipinos are left in the dark when eating out, lacking easily accessible information to make informed choices when eating in restaurants. There are abundant data to show that people who eat at fast food establishments consume more calories and miss out on the more nutrient rich food groups. Consumers are unaware of the calorie and nutritional content of their choices and this leads to an unhealthy eating pattern.

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Nutrient content information provided at the time of food selection in food service establishments would enable consumers to make more informed, healthier choices and can be expected to reduce obesity and the many related health problems which obesity causes.

Provision of calorie and nutrient information on menu and menu boards is another way to accomplish the mandate of the Constitution. The consuming public is unable to make an informed choice as to which menu item is more nutritious as opposed to others in a food service establishment.

This bill seeks to address the problems of obesity, improper nutrition and the diseases they cause by providing consumers with relevant information so they may make better food choices.

In view of the foregoing, the passage of this bill is earnestly sought.


Senator Paolo Benigno "Bam" A. Aquino IV



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

1 **SECTION 1. Short Title.** - This Act shall be known as the "*Menu Nutritional*
2 *Information Act.*"

3 **SECTION 2. Declaration of Policy.** - It is hereby declared the policy of the State to
4 protect and promote the right of the people to good health. Towards this end, the State
5 hereby mandates the disclosure and display of the nutrition content information of food on
6 the menus and menu boards of restaurants and fast food chain establishments to help
7 Filipinos make healthier food choices.

8 **SECTION 3. Definition of Terms.** - As used in this Act, the following terms shall
9 mean:

- 10 (a) *Food establishment* - any food retail establishment that is part of an affiliation of ten
11 (10) or more food retail establishments, doing business under the same name,
12 regardless of its type of ownership, and selling substantially the same menu items in
13 standard content and portion servings.
- 14 (b) *Food items* - a unit serving of a ready-to-eat food or beverage for sale in a restaurant
15 or food retail establishment.
- 16 (c) *Food-on-display* - food offered for sale that is visible to a customer before making a
17 selection, and needs no further preparation before consumption.
- 18 (d) *Standard menu item* - any individual food item or combination of food items that is
19 routinely listed on a menu or menu board, or routinely offered for sale by a
20 restaurant or fast food chain establishment.
- 21 (e) *Menu* - a printed list or pictorial display of food items and their prices posted in and
22 visible within a fast food chain as defined in this Act, including menus distributed or
23 provided outside of the establishment.

- 1 (f) *Menu board* – any list or pictorial display of food items and their prices posted in and
2 visible within or outside a fast food chain as defined in this Act, including drive-thru
3 menu boards.
4 (g) *Self-service food* – food and beverages that the consumers serve themselves,
5 including food offered for sale at a salad bar, buffet line, cafeteria line, or similar self-
6 service facility.

7 **SECTION 4. *Disclosure of Nutrition Information.*** – All food establishments, as
8 defined in this Act, are hereby required to disclose and display the nutrient content
9 information of each standard menu item on their menus and menu boards as usually
10 prepared and sold to the public. Food establishments offering self-service food and food-on-
11 display, the nutrient content information per item or serving shall be posted on a sign
12 adjacent to such food.

13 The nutrition information shall indicate the amount of each of the following:

- 14 (a) Total fat;
15 (b) Saturated fat;
16 (c) Cholesterol;
17 (d) Sodium;
18 (e) Total carbohydrates;
19 (f) Complex carbohydrates;
20 (g) Sugars;
21 (h) Dietary fiber; and
22 (i) Total Protein.

23 Disclosure and display of nutrition information shall not apply to custom orders on
24 food that is part of a customary market test or temporary menu items.

25 **SECTION 5. *Calorie Content.*** – The disclosure of nutrition content information by
26 food establishments, as required in the preceding section, shall indicate the calories
27 contained in a standard menu item to the nearest five-calorie increment up to and including
28 fifty (50) calories, to the nearest ten-calorie increment above fifty (50) calories. For foods
29 that have fewer than five (5) calories, the declaration may be expressed as zero (0).

30 **SECTION 6. *Disclosure Compliance Certificate.*** – As an additional requirement for
31 their operation within six (6) months from the effectivity of this Act, food establishments are
32 hereby directed to apply for and secure a Nutrition Disclosure Compliance Certificate
33 (NDCC) from the Department of Health (DOH). The NDCC issued by the DOH shall be valid
34 for two (2) years from the date of issuance and may be renewed at least thirty (30) days
35 before its expiration. The DOH may refuse to renew the NDCC of any restaurant or fast food
36 chain establishment found to be in violation of this Act.

37 Failure of any restaurant of fast food chain establishment to secure a NDCC shall be a
38 ground for the suspension or revocation of its license to operate.

1 **SECTION 7. Penalties.** – A fine of not less than twenty thousand pesos (PHP 20,000)
2 but not more than one hundred thousand pesos (PHP 100,000) shall be imposed upon any
3 person operating a food establishment found to have failed to comply with the mandatory
4 nutrition information disclosures or to have declared false or grossly inaccurate nutrition
5 information regarding the amount of calories or nutrients contained in their standard menu
6 items.

7 **SECTION 8. Implementing Rules and Regulations.** – Within sixty (60) days from the
8 effectivity of this Act, DOH shall promulgate the necessary rules and regulations for the
9 effective implementation of this Act.

10 **SECTION 9. Separability Clause.** – Should any provision herein be declared
11 unconstitutional, the same shall not affect the validity of the other provisions of this Act.

12 **SECTION 10. Repealing Clause.** – All laws, decrees, orders, rules, and regulations or
13 other issuances or parts inconsistent with the provisions of this Act are hereby repealed or
14 modified accordingly.

15 **SECTION 11. Effectivity.** - This Act shall take effect fifteen (15) days after publication
16 in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

17 *Approved,*