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SENATE
S. B. 1899

RECEIVED BY: _____

Introduced by Senator Miriam Defensor Santiago

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.”

SECTION 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.

SECTION 3. *Definitions.* – As used in this Act —

(1) The term “Council” means the Council on Nutrition and Health, as established in Section 4(1).

(2) The term “Secretary” means the Secretary of the Department of Health.

SECTION 4. *Establishment and Staffing of the Council on Nutrition.* – (1) ESTABLISHMENT- There is established within the Department of Health the Council on Nutrition and Health.

(2) MEMBERSHIP- (a) APPOINTMENT- The Council shall consist of nine (9) voting members, all of whom shall be appointed by the President.

(b) 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 on the basis of an established record of distinguished service in the areas of expertise of such individuals.

(c) EX OFFICIO MEMBERS - The Secretary and the Secretary of Agriculture shall be ex officio members of the Council.

(3) TERM OF OFFICE- (a) 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 one (1), two (2), or three (3) years, as determined by the Secretary at the time of appointment.

(b) 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 by the same individual who appointed such predecessor pursuant to subsection (2)(a) for the remainder of such term.

(c) 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 office.

(d) ELIGIBILITY FOR SUCCESSIVE TERMS- A member of the Council shall be eligible to serve successive terms of office.

(4) LEADERSHIP OF COUNCIL - (a) SELECTION- A Chairperson and a Vice Chairperson of the Council shall be selected by the President from among the members of the Council.

(b) TERM OF OFFICE- The Chairperson and Vice Chairperson of the Council, as referred to in paragraph (a), shall serve for terms of three (3) years.

(5) MEETINGS OF COUNCIL - (a) FREQUENCY OF MEETINGS- The Chairperson of the Council, as referred to in subsection (4), shall convene a meeting of the Council not less than once during each three-month period.

(b) QUORUM- At a properly convened meeting of the council, the presence of five (5) Council members shall constitute a quorum.

(6) 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.

(7) 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.

SECTION 5. *Responsibilities of the Council.* - (1) IN GENERAL- The Council shall—

(a) assemble the existing information on the relationship between nutrition and health;

(b) identify and collect the ongoing research within the various national and local governmental agencies, the private sector in the country, and in foreign countries;

(c) identify the aspects of the relationship between nutrition and health that require additional research;

(d) monitor ongoing research into the role of nutrition in health, including—

(i) methods by which the nutritional value of domestically produced food products may be improved;

(ii) the relationship between consumption of specific foods and nutrients and the incidence and treatment of specific diseases and conditions; and

(iii) the optimal level of foods and nutrients that are appropriate under various health conditions to maximize specific human capabilities;

(e) monitor the progress of nutrition education efforts among the health profession, other segments of the society, and the general public; and

(f) 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.

(2) RULES AND REGULATIONS- The Council is authorized to adopt such rules and regulations as may be necessary to carry out this Act.

SECTION 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.

SECTION 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.

SECTION 8. *Reports.* – (1) 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.

(2) DISTRIBUTION- Following the receipt by the Secretary of the annual report of the Council under subsection (1), the Secretary shall immediately distribute such report, along with recommendations of the Secretary regarding such report, to the President, the Secretary regarding such report, to the President, the Secretary of Agriculture, and the appropriate authorizing and appropriating committees of the Congress as well as to such agencies and departments as the Secretary considers appropriate.

SECTION 9. *Authorization of Appropriations.* – There are authorized to be appropriated such sums as may be necessary to carry out this Act.

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

SECTION 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 provisions of this Act is hereby repealed, modified or amended accordingly.

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

Approved,

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