


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

7 JUN 30 P4:09

SENATE
S.B. No. 226

RECEIVED BY: 

Introduced by Senator Loren Legarda

EXPLANATORY NOTE

This bill seeks to institutionalize a Milk Feeding Program for Filipino children by providing it with budgetary appropriations to ensure its sustainable implementation

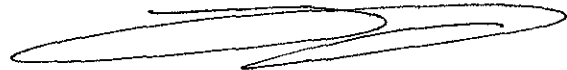
Results of the "2001 Updating of Nutritional Status of Filipino Children" conducted by the Department of Science and Technology's Food and Nutrition Research Institute revealed that 32.9% of school-children ages 6-10 years are underweight while 41.1% are short for their age.

These nutritionally disadvantaged children are more than the entire population of Central Luzon which is 8 million, or Somalia, which is 8.78 million, or Sweden, which is 8.84 million or more than twice the size of New Zealand, which is 3.78 million in year 2000. Children belonging to this group are vulnerable to infection and disease with usually serious implications. There is a need for the State's intervention to solve the problem of malnutrition. One feasible way is through milk-feeding programs.

By milk-feeding, this bill proposes the distribution of locally produced fresh milk for direct intake of children ages 5-10 years of age nationwide, to be taken from produce of local milk suppliers and sponsors from the government and private sector.

To ensure sustainability of the efforts, there is hereby established a Milk Feeding Fund to support this worthy cause.

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



LOREN LEGARDA
Senator

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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
PURPOSE

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. *Declarations of Policy*---The State shall ensure the health
welfare of the vulnerable children population and shall institute effective
mechanism 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 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
FIVE HUNDRED MILLION PESOS (P500M) out of the total tax collection of
the National Government for the current year from the importation of milk and
dairy product as well as dairy equipment and implements in order to enhance
and augment the existing funds for 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 implement; 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 fund for the Nation Milk Feeding Program and other dairy and dairy-related development activities. The NDA shall tap bonafide and reputable women's organization as milk feeding partner 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 support the Milk Feeding Program in whatever forms, shall be given due tax credit equipment to 100% of the value of their contribution to the program.

Section 10. *Repealing Clause*--- All acts, executive orders, administrative orders, proclamation, rules and regulation or parts thereof inconsistent with any of provision of this Act are hereby repealed or modified accordingly.

Section 11. *Separability Clause*---If any provision or section of this Act or the thereof to any person, association, or circumstance is held invalid, the other pertinent provision 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