

NINETEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
Second Regular Session }



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SENATE
S. B. No. 2608

RECEIVED BY: 

Introduced by Senator Joseph Victor G. Ejercito

**AN ACT
ESTABLISHING CENTRAL KITCHENS TO IMPROVE IMPLEMENTATION OF
THE SCHOOL-BASED FEEDING PROGRAM, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 11037, OTHERWISE KNOWN AS THE "*MASUSTANSYANG
PAGKAIN PARA SA BATANG PILIPINO ACT*", APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Republic Act No. 11037, otherwise known as the "*Masustansyang Pagkain Para sa Batang Pilipino Act*", was enacted in 2017 to stem the rising tide of malnutrition among children.

The program has mostly been satisfactory. Around 2.30 million elementary students in public schools have been provided with hot meals every year since its enactment.¹ 99.21% of parent-respondents to a DepEd survey noted that their children became more enthusiastic and energetic, gained weight, and had a strengthened immune system because of the program.

But here is always room for expansion and improvement. A recent DepEd-backed study revealed that only 74% of public schools have a designated cooking place. Many public schools in the Visayas and Mindanao regions have only dirty kitchens, which are fueled with charcoal or firewood. Very few schools have dedicated

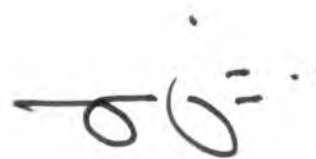
¹ National Expenditure Program for FYs 2020 to 2023.

cooking staff. Many rely on teachers and parents to buy and cook food on a voluntary basis.²

These shortcomings prevent prevents the full realization of the goals of this Act. The current measure thus proposes to amend R.A. No. 11037 to establish a network of central kitchens. These kitchens will be established by the DepEd based on clusters of geographically approximate clusters of schools. Each kitchen will be staffed by a food service supervisor and two cooks.

Finally, this measure clarifies the roles of LGUs, the private sector, and non-government organizations in the implementation of this law. This is done in recognition of the importance of multisectoral participation in the establishment and operation of central kitchens.³

Immediate passage of this measure is eagerly sought.



JOSEPH VICTOR G. EJERCITO

² German Agency for International Cooperation (GIZ). 2020. *Assessment of Cooking Systems and Practices in Public Elementary Schools in the Philippines*.

³ Van, V., Siguin, C., et.al. "A Community-Led Kitchen Model for School Feeding Programs in the Philippines: Learnings for Multisectoral Action for Health" *Global Health: Science and Practice* (2022: Vol. 10, No. 6).

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THEREFOR, AND FOR OTHER PURPOSES**

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

3 SECTION 1. *Short Title.* – This Act shall be known as the "*Central Kitchens Act*".

4 SEC. 2. – A new Section 6 (a) is hereby created under Republic Act No. 11037,
5 which shall read as follows:

6 **"SECTION 5. ESTABLISHMENT OF CENTRAL KITCHENS. – THE DEPED,**
7 **IN COORDINATION WITH THE PRIVATE SECTOR, LGUS AND NGOS,**
8 **SHALL ESTABLISH CENTRAL KITCHENS WHICH SHALL PREPARE AND**
9 **DISTRIBUTE FORTIFIED MEALS TO BENEFICIARIES IN**
10 **GEOGRAPHICALLY PROXIMATE PUBLIC SCHOOLS: PROVIDED, THAT,**
11 **WHEN NECESSARY AND FEASIBLE, THE CENTRAL KITCHENS MAY**
12 **ALSO BE CALLED UPON TO PREPARE AND PROVIDE HOT MEALS FOR**
13 **VICTIMS OF DISASTERS.**

14 (a) **LOCATION. – THE CENTRAL KITCHENS SHALL BE ESTABLISHED**
15 **BASED ON CLUSTERS OF GEOGRAPHICALLY PROXIMATE**
16 **PUBLIC SCHOOLS AS MAY BE IDENTIFIED BY THE DEPED;**

17 (b) **DESIGN AND EQUIPMENT STANDARDS FOR CENTRAL**
18 **KITCHENS. – THE DEPED SHALL PROMULGATE STANDARDS**

1 FOR THE DESIGN AND EQUIPMENT OF THE CENTRAL
2 KITCHENS, WHICH SHALL INCLUDE BUT NOT BE LIMITED TO:

3 1. THE PHYSICAL LAYOUT OF THE KITCHEN, WHICH SHALL
4 HAVE SEPARATE AREAS FOR THE STORAGE AND
5 REFRIGERATION OF RAW COMMODITIES, FOR THEIR
6 CLEANING AND PREPARATION, FOR THE PREPARATION OF
7 THE FORTIFIED MEALS, AND FOR DISPOSAL OF SCRAPS;

8 2. THE STANDARD NUMBER OF POTS, PANS, OTHER UTENSILS
9 AND EQUIPMENT WHICH WILL BE USED FOR PREPARATION
10 AND COOKING OF THE FORTIFIED MEALS; *AND*

11 3. THE STANDARD COOKING STOVES AND FUEL SOURCE
12 WHICH SHALL BOTH BE SUFFICIENT TO ACCOMMODATE
13 BULK COOKING;

14 (c) PERSONNEL. – EACH CENTRAL KITCHEN SHALL BE STAFFED BY
15 A FOOD SERVICE SUPERVISOR III AND AT LEAST TWO (2)
16 COOK II, WHOSE SALARY GRADES AND ASSOCIATED BENEFITS
17 SHALL BE SUBJECT TO THE POSITION CLASSIFICATION
18 SYSTEM AS PROMULGATED BY THE DEPARTMENT OF BUDGET
19 AND MANAGEMENT (DBM).

20 SEC. 3.– Section 7 of Republic Act No. 11037 is hereby amended to read as
21 follows:

22 Section 7. *Local Government Assistance.* – LGUs shall assist the NGAs in the
23 efficient and effective implementation of the Program in accordance with
24 Section 4 of this Act and shall ~~[be authorized to]~~ use ~~[a portion of]~~ the Special
25 Education Fund (SEF) and/or their twenty percent (20%) development fund as
26 provided for in Republic Act No. 7160, otherwise known as *the "Local*
27 *Government Code of 1991"*, as amended to augment the appropriations
28 available under the General Appropriations Act (GAA).

29 The LGUs may assist the DepEd in any of the following modalities:

30 (a) SETTING-UP OR REFURBISHING OF EXISTING CENTRAL
31 KITCHENS;

32 (b) SUPPLY OF RAW FOODSTUFFS, FUEL, AND COOKING UTENSILS;

- 1 (c) **HIRING OF STAFF TO FILL MANPOWER REQUIREMENTS;**
- 2 (d) **PROVIDING VEHICLES FOR THE DISTRIBUTION OF MEALS TO**
- 3 **SCHOOLS;**
- 4 (e) **SUSTAINING THE OPERATION, CONDUCT OF HEIGHT AND**
- 5 **WEIGHT ASSESSMENT BY BARANGAY NUTRITION SCHOLARS;**
- 6 (f) **NUTRITION EDUCATION OF PARENTS; *OR***
- 7 (g) **PRIORITY PROCESSING OF HEALTH PERMITS FOR FOOD**
- 8 **HANDLERS, SANITARY PERMITS OF THE KITCHEN, WATER**
- 9 **TESTING AND FUNDING OF ADDITIONAL FEEDING DAYS;**

10 SEC. 4.– Section 8 of Republic Act No. 11037 is hereby amended to read as
11 follows:

12 "Section 8. Private Sector Participation. – x x

13 **THE PRIVATE SECTOR MAY PARTICIPATE IN THE PROGRAM**
14 **THROUGH THE FOLLOWING MODALITIES:**

- 15 (a) **SETTING-UP OR REFURBISHING OF EXISTING CENTRAL**
- 16 **KITCHENS: *PROVIDED*, THAT THIS SHALL BE AN AVAILABLE**
- 17 **MODALITY OF PARTICIPATION UNDER THE REPUBLIC ACT NO.**
- 18 **8525, OTHERWISE KNOWN AS THE "*ADOPT-A-SCHOOL ACT OF***
- 19 ***1998*";**
- 20 (b) **SUPPLY OF RAW FOODSTUFFS, FUEL, AND COOKING UTENSILS**
- 21 (c) **HIRING OF STAFF TO FILL MANPOWER REQUIREMENTS;**
- 22 (d) **PROVIDING VEHICLES FOR THE DISTRIBUTION OF MEALS**
- 23 **SCHOOLS;**
- 24 (e) **SUSTAINING THE OPERATION, CONDUCT OF HEIGHT AND**
- 25 **WEIGHT ASSESSMENT BY BARANGAY NUTRITION SCHOLARS;**
- 26 ***and***
- 27 (f) **NUTRITION EDUCATION OF PARENTS;**

28 SEC. 6. *Administration.* – The implementation of this program shall be placed
29 under the Department of Education-Bureau of Learner Support Services ("The
30 Bureau"). In addition to its powers and functions under R.A. No. 11037, the Bureau
31 shall:

- 1 (a) Pursuant to Section 4 of this Act, exercise supervision and control over the
2 establishment and maintenance of the central kitchens and issue guidelines
3 on their location, staffing, and design and equipment standards;
- 4 (b) Assist the Secretary in identifying clusters of geographically proximate
5 public schools which may be served by a single central kitchen;
- 6 (c) Conduct information campaigns and establish linkages with the private
7 sector and civil society organizations under Section 6 of this Act, and
8 pursuant thereof, facilitate their participation through the formation of a
9 task force;
- 10 (d) Assist the DepEd Secretary in formulating a joint memorandum circular with
11 the Department of Interior and Local Government (DILG) which will
12 institutionalize the role of LGUs under Section 5 of this Act;
- 13 (e) Coordinate with the appropriate units of the DOH for the delivery of
14 supplementary health services, and the DA for the establishment of
15 instructional gardens, and the supply and delivery of pasteurized or
16 sterilized milk and milk-based products to school feeding program
17 beneficiaries;
- 18 (f) Such other powers and functions as may be necessary and proper for the
19 full implementation of this Act;

20 *SEC. 7. Structure and Staffing Pattern.* – Subject to the approval of the DBM,
21 the DepEd shall determine the organizational structure of and the central kitchens and
22 create new divisions or units as it may deem necessary, and shall appoint officers and
23 employees in accordance with the civil service law, rules, and regulations.

24 New divisions may also be created, and new personnel may also be hired, under
25 the Bureau of Learner Support Services to fulfill the goals of this Act, subject to the
26 approval of the DBM and in accordance with civil service law, rules, and regulations.

27 *SEC. 8. Appropriations.* – The amount necessary to carry out the initial
28 implementation of this Act shall be sourced from the Contingent Fund. Thereafter,
29 such sums as may be necessary for the continuous implementation of this Act shall be
30 included in the annual budget of the Department of Education under the General
31 Appropriations Act.

1 SEC. 9. *Implementing Rules and Regulations.* – Within ninety (90) days from
2 the effectivity of this Act, the DepEd, the DA, DOH, DILG, the FNRI, and such other
3 relevant government agencies, nongovernment organizations, and development
4 partners shall promulgate their respective rules and regulations for the efficient and
5 effective implementation of this Act.

6 SEC. 10. *Separability Clause.* – If any provision or part hereof is held invalid or
7 unconstitutional, the remainder of law or the provision not otherwise affected shall
8 remain valid and subsisting.

9 Section 11. *Repealing Clause.* – All laws, decrees, orders, rules and regulations
10 or other issuances or parts inconsistent with the provision of this Act are hereby
11 repealed or modified accordingly.

12 Section 12. *Effectivity.* –This Act shall take effect fifteen (15) days after its
13 publication in the Official Gazette;

14 *Approved,*