

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



24 MAY 15 P3:13

**SENATE**

**S. No. 2675**

RECEIVED BY:

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Introduced by Senator Manuel "Lito" M. Lapid

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**AN ACT  
REQUIRING THE DISCLOSURE OF NUTRITIONAL INFORMATION IN  
MENUS OF FOOD SERVICE ESTABLISHMENTS**

**EXPLANATORY NOTE**

The Constitution mandates that the State protect and promote the right to health of the people and instill health consciousness among them.

In 2022, about 12 percent of assessed adults aged 20 and above in the Philippines were identified as obese or overweight. The highest share of obese or overweight adults was reported among adults in the National Capital Region (NCR) at 39 percent.

Weight gain occurs when more calories are consumed than are expended. Eating out, and eating extra calories while eating out, contribute disproportionately to the excess calorie intake that fuels the rise in incidence of obesity. Obesity increases the risk of diabetes, heart disease, stroke, some cancers, and other health problems.

The increase in consumption of away-from-home foods has been facilitated by the expansion of fast food and restaurant chains, which serve food that is easily available, inexpensive, and high in calories. While packaged foods are already required to disclose nutritional facts, meals sold through food establishments contain no such disclosure. The health conscious have to guess at the nutritional content of meals taken in restaurants. On the other hand, those who are less aware of the need for proper dieting are left unaware of the nutritional values that they intake.

To address the problems of obesity and improper nutrition among Filipinos, this bill mandates the disclosure of caloric and nutritional information in menus of food service establishments. Nutrient content information provided at the time of food selection in food service establishments would enable consumers to make more informed and healthier food choices, promote health awareness and proper dieting, and assist consumers who are monitoring their diets or dealing with chronic diseases, such as cardiovascular disease and diabetes.

This bill shall only cover bigger establishments and explicitly excludes Micro, Small, and Medium Enterprises (MSMEs). However, it does not preclude MSMEs from complying with the standards as may be provided pursuant to this measure.

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

  
**MANUEL "LITO" M. LAPID**  
Senator 

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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 "Nutritional Information  
2 Disclosure Act of 2024".

3       **Sec. 2. Declaration of Policy.** – The State shall protect and promote the right  
4 of health of the people and instill health consciousness among them. As such, it  
5 recognizes the need for transparency on nutritional facts for food and beverages with  
6 the public in order to instill a sense of health consciousness on everyone.

7       **Sec. 3. Definition of Terms.** – As used in this Act, the term

8       A. "Calorie content information" means the total number of calories per standard  
9 menu item, as that item is usually prepared and offered for sale;

10      B. "Covered food service establishment" is a food service establishment that is  
11 one of a group of 15 or more food service establishments doing business  
12 nationally, offering for sale substantially the same menu items, in servings that  
13 are standardized for portion size and content, that operate under common

ownership or control, or as franchised outlets of a parent business, or do business under the same name. This Act explicitly excludes Micro, Small, and Medium Enterprises (MSMEs). However, it does not preclude MSMEs from complying with the standards as may be provided pursuant to this measure;

C. "Department" refers to the Department of Health.

D. "Drive-thru" means an area where a customer may provide an order for and receive standard menu items while occupying a motor vehicle;

E. "Menu" shall mean a printed list or pictorial display of a food item or items, and their price(s), that are available for sale from a covered food service establishment and shall include menus distributed or provided outside of the establishment;

F. "Menu board" shall mean any list or pictorial display of a food item or items and their price(s) posted in and visible within a covered food service establishment or outside of a covered food service establishment for the purpose of ordering from a drive-through window;

G. "Nutritional information" includes, but is not limited to, all of the following, per menu item:

a. Total number of calories

b. Total number of grams of carbohydrates

c. Total number of grams of saturated fat

d. Total number of grams of protein

e. Total number of milligrams of sodium

H. "Reasonable basis" means any reasonable means recognized by the Department of Health in determining nutritional information, as well as calorie

1 content information, for a menu item, as usually prepared and offered for sale,  
2 including, but not limited to, nutrient databases and laboratory analyses; and

3 I. "Standard menu item" shall mean any individual food item, or combination of  
4 food items, listed or displayed on a menu board or menu that is offered for sale  
5 or sold by a covered food service establishment through a menu, menu board,  
6 or display tag at least 180 days per calendar year.

7 **Sec. 4. Menu Labeling.** – Covered food service establishments shall disclose in  
8 a clear and conspicuous manner on their menus and menu boards the calorie content  
9 information, which shall be displayed adjacent to the name of the standard menu  
10 item, to be clearly associated with such item. In the case of display tags, the calorie  
11 content information of the standard menu item identified on the display tag shall be  
12 stated thereon. A Quick Response (QR) Code may also be placed in the menu that  
13 links to a website that provides complete information on the nutritional contents of  
14 the food being served by the covered establishment.

15 For the other nutritional information of the standard menu items, as well as the  
16 suggested daily caloric intake of the average Filipino as specified by the Secretary of  
17 Health through the implementing rules and regulations to be issued pursuant to this  
18 Act, covered food service establishments shall disclose the information in a clear and  
19 conspicuous manner on a brochure that is made available at the point of sale prior to  
20 or during the placement of an order.

21 In the case of food sold at a salad bar, buffet line, cafeteria line, or similar self-  
22 service facility, and for self-service beverages or food that is on display and that is

1 visible to customers, a covered food service establishment shall place adjacent to each  
2 food offered a sign that lists calories per displayed food item or per serving.

3 The disclosure of calorie content information on a menu or menu board next to  
4 a standard menu item that is a combination of at least two standard menu items on  
5 the menu or menu board, shall, based upon all possible combinations for that standard  
6 menu item, include both the minimum amount of calories for the calorie count  
7 information and the maximum amount of calories for the calorie count information. If  
8 there is only one possible total amount of calories, then this total shall be disclosed.

9 The disclosure of calorie content information next to a standard menu item that  
10 is intended to serve more than one individual, shall include the number of individuals  
11 intended to be served by the standard menu item and the calorie content information  
12 per individual serving.

13 The nutritional information and calorie content information required by this  
14 section shall be determined on a reasonable basis. A reasonable basis determination  
15 of nutritional information and calorie content information shall be required only once  
16 per standard menu item, provided that portion size is reasonably consistent and the  
17 covered food service establishment follows a standardized recipe and trains to a  
18 consistent method of preparation.

19 **Sec. 5. Disclosure in Drive-thru Food Service Establishments.** – A covered food  
20 service establishment that has a drive-thru area and uses a menu board to display or  
21 list standard menu items at the point of sale shall, for purposes of the drive-thru area  
22 only, disclose the nutritional information in a clear and conspicuous manner on a

1 brochure that is available upon request, and shall conspicuously display a notice at  
2 the point of sale that reads: "NUTRITION INFORMATION IS AVAILABLE UPON  
3 REQUEST" as well as the QR code linking to to a website that provides complete  
4 information on the nutritional contents of the food being served by the covered  
5 establishment or other similar statement that indicates the disclosure of nutrition  
6 information is available upon request.

7 **Sec. 6. *Noncompliance with Menu Labeling Requirement.*** – The following shall  
8 be considered non-compliance with menu labeling:

- 9 (1) The sale of any food or beverage item by covered establishments without the  
10 required calorie content information, suggested daily calorie intake, and  
11 availability of nutritional information displayed on the menu, menu board, or  
12 display tag;
- 13 (2) The sale of any food or beverage item by covered establishments without the  
14 availability of the required nutritional information for all standard menu items;
- 15 (3) The declaration of calorie content information and nutritional information  
16 without reasonable basis therefor; and
- 17 (4) The misbranding or erroneous disclosure of calorie content information and  
18 nutritional information of standard menu items.

19 **Sec. 7. *Penalties.*** – The Department, in coordination with other concerned  
20 government agencies, after notice and hearing, shall impose any or all of the following  
21 administrative sanctions in cases of noncompliance:

- 22 a. Suspension of registration; and

1        b. A fine of not less than Three Hundred Thousand Pesos (₱300,000.00) for the  
2           first violation; not more than Six Hundred Thousand Pesos (₱600,000.00) for  
3           the second violation; and not more than One Million Pesos (₱1,000,000.00) for  
4           the third violation.

5           **Sec. 8. *Implementing Rules and Regulations.*** – Within six (6) months from the  
6           date of effectivity of this Act, the Department of Trade and Industry, in consultation  
7           with Department of Health and other concerned agencies, non-governmental  
8           organizations, private sector and consumer groups involved in nutrition, shall  
9           promulgate the necessary implementing rules and regulations to implement the  
10          provisions of this Act.

11          **Sec. 9. *Separability Clause.*** - If any provision of this Act is declared invalid or  
12          unconstitutional, the provisions not affected thereby shall continue to be in full force  
13          and effect.

14          **Sec. 10. *Repealing Clause.*** - All laws, executive orders, presidential decrees,  
15          presidential proclamations, letters of instruction, rules and regulations or parts thereof  
16          inconsistent with the provisions of this Act are hereby repealed or modified  
17          accordingly.

18          **Sec. 11. *Effectivity.*** - This Act shall take effect within fifteen (15) days following  
19          its publication in the Official Gazette or in two (2) newspapers of general circulation  
20          in the Philippines.

21          *Approved,*