

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

SENATE
OFFICE OF THE SECRETARY

10 JUL -8 12 26

SENATE

S. No. 1034

RECEIVED BY: 

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Heart disease and hypertension are among the leading causes of death and morbidity among Filipinos. In the prevention of illness due to hypertension and heart disease, strict compliance with dietary restrictions is crucial. Hence, many consumers are gradually becoming more conscious about nutrition and the nutritional contents of the food they purchase and eat. In this regard, better informed consumers are better able to make wise choices.

Trans-fatty acids or Trans fats are types of unsaturated fats found when oils are hardened by partially hydrogenating them to make them more solid. Partially hydrogenated oil is actually more stable and does not go rancid easily like liquid vegetable oil and remains solid at room temperature. Baked goods and products enjoy longer shelf life and give cooking oils longer fry-life.

Republic Act No. 7394 or the "Consumer Act of the Philippines" provides for the minimum labeling requirements for consumer products and additional labeling requirements for food. However, these provisions on labeling requirements do not expressly require information on the fat and cholesterol content of foods. Thus, not all consumer food products contain such information.

Article 11, Section 15 of the 1987 Constitution provides that "***State shall protect and promote the right to health of the people and instill health consciousness among them.***" In accordance with this constitutional mandate, this bill proposes the mandatory labeling of food products indicating distinctly in their packages the Trans-fatty acids or Trans fat contents in food products.

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


MANUEL "LITO" M. LAPID
Senator

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AN ACT
PRESCRIBING THE MANDATORY LABELING REQUIREMENTS FOR
FOOD PRODUCTS AND FOODSTUFF CONTAINING INDUSTRIALLY
PRODUCED TRANS-FATTY ACIDS (IP-TFA) / TRANS-FATS, PROVIDING
PENALTIES FOR ITS VIOLATION THEREOF AND FOR OTHER
PURPOSES

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 "*Trans-Fatty Acid Labeling Act of 2010*".

SEC. 2. Declaration of Policy. - It is the policy of the State to protect the interests of the consumer, promote his/her general welfare and to establish quality standards in food products to protect the health and general welfare of the general public. As such, the State shall implement measures to achieve the protection against hazards to health and safety and provide programs on Information, Education and Communication Campaign (IEC) to educate the general public.

SEC. 3. Definition of Terms. - For purposes of this Act, the following terms shall be defined as follows:

(a) **Trans-fatty acids or Trans fats** - is defined as a type of unsaturated fat found when oils are hardened by partially hydrogenating it to make it more solid. Partially hydrogenated oil is found to be more stable and do not go rancid easily like the usual liquid vegetable oil and it remains solid at room temperature and is found in foods from animal meats and skin, dairy products and some vegetables;

(b) **"Label" or "labeling"** means the display of written, printed or graphic matter on any consumer product or its immediate container, tag, literature or other suitable material affixed thereto for the purpose of giving information as to identity, components, ingredients, attributes, directions for use, specifications and such other information as may be required by law or regulations.

SEC. 4. *Mandatory Labeling Requirements.* - Within ninety (90) days from the date of effectivity of this Act, the Department of Health (DOH) shall issue the necessary guidelines and requirements for the mandatory labeling requirement for all consumer products, food products and foodstuff that contain industrially produced trans-fatty acids (IP-TFA) / trans-fats.

SEC. 5. *Information, Education and Communication (IEC) Campaign.* – The Department of Health (DOH), in cooperation with the Philippine Information Agency (PIA), is hereby mandated to conduct a comprehensive and nationwide information, education and communication (IEC) campaign in order to inform the general public of the purpose and objectives envisioned under this Act.

SEC. 6. *Prohibited Acts on Labeling.* - It shall be unlawful for any person, either as principal or agent, engaged in the labeling or packaging of any food consumer product, to display or distribute or to cause to be displayed or distributed in commerce, any food consumer product whose label does not conform to the provisions of this Act.

SEC. 7. *Penalties.* - Any person who shall violate the provisions of this Act shall be subject to a fine of not less than Fifty Thousand Pesos (Php 50,000) but not more than Two Hundred Thousand Pesos (Php 200,000) or imprisonment of not less than six (6) months but not more than four (4) years or both, at the discretion of the court.

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

SEC. 9. *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.

SEC. 10. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,