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SENATE
S. No. 2262

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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Obesity rates in adults in the United States have doubled over the last twenty years. The percentage of seriously overweight children tripled in the past two decades. At the same time, Americans are increasingly eating meals away from home. In 1970, Americans spent just 26% of their food dollars on foods prepared outside their homes but today spend almost half of food dollars eating out. The average American consumes about one-third of their calories from foods from restaurants and other food-service establishments. Portion sizes have been increasing and studies show that people tend to eat greater quantities of food when they are served more. It is not uncommon for a restaurant entree to provide half of a day's recommended calories. Children eat almost twice as many calories when they eat out compared to home.

Since 1994, consumers can get nutrition labeling on packaged foods at the supermarket. However, they are now getting more of their food from restaurants and other food service establishments than years ago and they cannot tell that a sweetened coffee drink at one chain may have as many calories as a cheeseburger with fries at another.

Some health experts believe this generation of children will be the first in history to have a shorter life expectancy than their parents because of the obesity epidemic. Everyone, including food businesses, needs to be part of the solution or we will all pay the consequences.

This bill seeks to require businesses to provide caloric information on the food these establishments serve. It applies to menu items that are offered in standardized sizes and content.¹

Miriam Defensor Santiago
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¹ This bill was originally filed during the 14th Congress, 1st Regular Session

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1 AN ACT
2 CLEARLY DISPLAY CALORIE COUNT LISTINGS OF THE FOOD ITEMS THEY SERVE
3 REQUIRING RESTAURANTS AND OTHER FOOD-SERVICE ESTABLISHMENTS TO
4 CLEARLY DISPLAY CALORIE COUNT LISTINGS OF THE FOOD ITEMS THEY
5 SERVE

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

6 SECTION 1. *Short Title.* - This Act may be cited as the "Calorie Count Display Act."

7 SECTION 2. *Declaration of Policy.* - It is the policy of the State to promote the general
8 welfare of the people. Pursuant to this policy, this Act seeks to create a consciousness in the
9 people with regard to the amount of calories they consume from foods in restaurants and other
10 food establishments. In order to do so, this Act will require the said restaurants and food
11 establishments to display prominently to customers the calorie count listings of the food items
12 they serve.

13 SECTION 3. *Display of Calorie Content.* - The is Secretary of Health, hereafter the
14 Secretary, is authorized and directed to promulgate rules and regulations requiring restaurants
15 and food service establishments to prominently post calorie content on menus and menu boards
16 for menu items if such menu items meet the following:

17 (A) Calorie content information of such items is made publicly available, either by the
18 establishment or an entity on its behalf, not later than six (6) months from the promulgation of
19 this Act; and,

20 (B) Such items are served in portions the size and content of which are standardized.

1 The rules and regulations shall require such restaurants and food service establishments
2 to post the number of calories per menu item adjacent to such menu items on menu boards, if
3 present, and menus in a size or typeface at least as large as the name and price of the menu item,
4 whichever is larger, and to post the range of calorie content values showing the minimum to
5 maximum numbers of calories for all flavors or varieties for each size offered of such menu
6 items that come in different flavors or varieties but are listed as a single menu item.

7 SECTION 4. *Inspections.* - For purposes of this Act, the Secretary or his duly authorized
8 agents or employees who inspect restaurants and food service establishments shall only be
9 required to determine that the calorie content listings required under the preceding Section are
10 listed on the menu or menu board. Such inspectors shall not be required to verify the accuracy of
11 the listings but the Secretary may request that restaurants and food service establishments
12 provide documentation of the accuracy.

13 SECTION 5. *Penalties.* - Failure to post a calorie count listings as required by Section 3
14 of this Act shall be penalized with a fine of Ten Thousand Pesos (P10,000.00) for every day that
15 the restaurant or food establishment fails to comply with the provisions of this Act.

16 The provisions of this Section shall not restrict the power of any local government unit to adopt
17 and enforce additional local laws, ordinances, or regulations which comply with at least the
18 minimum applicable standards set forth in this Act.

19 SECTION 6. *Separability Clause.* - If any provision or part hereof, is held invalid or
20 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
21 valid and subsisting.

22 SECTION 7. *Repealing Clause.* - Any law, presidential decree or issuance, executive
23 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
24 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

1 SECTION 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
2 publication in at least two (2) newspapers of general circulation.

3 Approved.