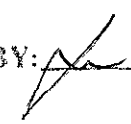


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SENATE
S.B. No. 2935

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EXPLANATORY NOTE

As expressly stated in Article II, Section 15, of the Constitution, it provides that "the State shall protect and promote the right to health of the people and instill health consciousness among them."

At present, there is no existing law requiring manufacturers, packagers, or distributors to indicate the nutritional value of food products on their labels. Due to the deluge of various food products in the market, there is an urgent need for consumers to be wary of such detail/s to be able to make well-informed choices especially if it concerns health issues.

This legislation is submitted with the following statistics as backdrop, highlighting its significance (Philippine Development Plan, 2011-2016):

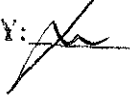
- Stunting and Wasting among children under 5 years old are at high levels at 32.2% and 7.5%. Stunting is an indication of prolonged deprivation of food and frequent bouts of infection. Wasting is an indication of lack of food or infection in the immediate past.
- About 26.3% of pregnant women are nutritionally at risk.
- Micronutrient deficiencies continue to be a health concern among young children.

This bill, therefore, seeks to promote health consciousness among the public through proper labeling of nutritional contents in food products. In view of the foregoing, the urgent passage of this proposed measure is requested.


MANNY VILLAR

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SENATE
S.B. No. 2935

RECORDED BY: 

Introduced by SENATOR MANNY VILLAR

**AN ACT
TO PRESCRIBE NUTRITION LABELING FOR FOOD PRODUCTS, AND
PROVIDING FRAMEWORK FOR ITS IMPLEMENTATION AND FOR OTHER
PURPOSES**

*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 "Philippine
2 Nutrition Labeling Act of 2011."
3

4 **SECTION 2. *Declaration of Policy.*** – It is hereby declared the policy of
5 the State to ensure that consumers have access to accurate information as to the
6 nutritional contents of food and food products to facilitate value comparison and
7 promote a free market economy.
8

9 **SECTION 3. *Definition of Terms.*** –

10
11 (a) The term "label" means any written, printed, or graphic matter affixed
12 to any consumer commodity or affixed to or appearing upon a package
13 containing any consumer commodity.
14

15 (b) The term "package" means any container or wrapping in which any
16 consumer commodity is enclosed for use in the delivery or display of that
17 consumer commodity to retail purchasers but does not include -
18

19 (1) Shipping containers or wrapping used solely for the
20 transportation of any consumer commodity in bulk or in quantity to
21 manufacturers, packers, or processors, or to wholesale or retail
22 distributors thereof; or
23

24 (2) Shipping containers or outer wrappings used by retailers to ship
25 and deliver any commodity to retail customers if such containers
26 and wrappings bear no printed matter pertaining to any particular
27 commodity.
28

29 (c) The term "food" means any material usually of plant or animal origin,
30 containing or consisting of essential body nutrients, that must be taken in
31 or assimilated by a person as nourishment to maintain life and growth.
32
33

1 **SECTION 4. Requirements of labeling. -**
2

3 (a) The commodity shall bear a label specifying the identity of the
4 commodity and the name and place of business of the manufacturer,
5 packer, or distributor.
6

7 (b) The separate label statement of nutritional content shall appear its
8 conspicuous and easily legible type in distinct contrast by typography,
9 layout, color, embossing, or molding with other matter on the package.
10

11 (c) The label shall also contain the following;
12

13 (1) number of servings or other units of measure per container;
14

15 (2) the total number of calories derived from any source, and
16 derived from the total fat
17

18 (3) The amount of the following nutrients in each serving size or
19 other unit of measurement of food –
20

21 "Total fat, saturated fat, cholesterol, sodium, total carbohydrates,
22 complex carbohydrates, sugars, dietary fiber, and total protein"
23

24 (4) any vitamin, mineral, or other nutrient required to be placed on
25 the label or labeling of food if it is determined that such information
26 will assist consumers in maintaining healthy dietary practices.
27

28 (d) If a food contains insignificant amounts, as determined by the Bureau
29 of Food and Drugs, of all the nutrients required to be listed in the label or
30 labeling of food, the requirements of such shall not apply to such food if
31 the label, labeling, or advertising of such food does not make any claim
32 with respect to the nutritive value of such food.
33

34 (e) No packaged consumer commodity shall be distributed or caused to be
35 distributed in commerce unless it conforms with the regulations set by this
36 Act and established by the Bureau of Food and Drugs.
37

38 **SECTION 5. Punishable Acts. -**
39

40 (a) It shall be unlawful for any person engaged in the packaging or
41 labeling of any consumer commodity for distribution in commerce, or for
42 any person engaged in the distribution in commerce of any packaged or
43 labeled consumer commodity, to distribute or to cause to be distributed in
44 commerce any such commodity if such commodity is contained in a
45 package, or if there is affixed to that commodity a label, which does not
46 conform to the provisions of this Act and of regulations promulgated under
47 the authority of this Act.
48

49 (b) This prohibition shall not apply to persons engaged in the business as
50 wholesale or retail distributors of consumer commodities except to the
51 extent that such persons (1) are engaged in the packaging or labeling of
52 such commodities, or (2) prescribe or specify by any means the manner in
53 which such commodities are packaged or labeled.
54
55

1 **SECTION 6. Consumer Education.** – The Secretary of the Department of
2 Health with the Bureau of Food and Drugs shall carry out activities which educate
3 consumers about-

4
5 (1) the availability of nutrition information in the label or labeling of food,
6 and

7
8 (2) the importance of that information in maintaining healthy dietary
9 practices.

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

14
15 **SECTION 8. Repealing Clause.** – Any law presidential decree or
16 issuance, executive order, letter of instruction, administrative order, rule of
17 regulation contrary to, or inconsistent with the provisions of this Act is hereby
18 repealed, modified, or amended accordingly.

19
20 **SECTION 9. Effectivity Clause.** – This Act shall take effect fifteen (15)
21 days after publication in at least two (2) newspapers of general circulation.

22 *Approved,*
23
24