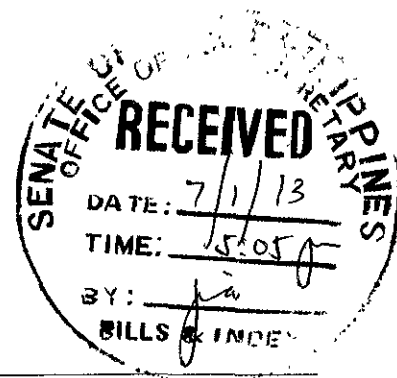


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
S. B. No. **234**



Introduced by Senator Maria Lourdes Nancy S. Binay

EXPLANATORY NOTE

Under Republic Act No. (R.A.) 8976, otherwise known as the "Philippine Food Fortification Act of 2000", refined sugar is one of the products covered by mandatory food fortification. However, after a series of consultations between the Bureau of Food and Drugs of the Department of Health (now the Food and Drugs Administration), sugar refineries and refined sugar re-packers, a consensus was reached that the mandatory fortification of refined sugar is not practical and cannot be effectively implemented due to the following constraints:

1. Sugar refineries are not the owners of the raw sugar that will be processed into refined sugar and of the resulting refined sugar. Since fortification is an act of ownership, refineries cannot fortify the refined sugar without the conformity of its owners, who are not willing to sign fortification authorization letters.
2. The target sector for the Vitamin A fortification program (D and E economic bracket) prefer to buy brown sugar over refined due to cost consideration.
3. Fortification of refined sugar is not marketable. Industrial users such as Coca-Cola, Pepsi, Nestle and San Miguel do not want fortified refined sugar as it will affect the formula of their products. Industrial users account for about 80% of the market for refined sugar.
4. Household consumers do not prefer to buy fortified refined sugar. This was proven by a test-run conducted by Victorias Milling Company. In the test run, 99 bags of refined sugar were fortified with Vitamin A. After almost a week of marketing and selling the fortified refined sugar, the 99 bags remained unsold.
5. Mandatory fortification will lead to an increase in the market price of refined sugar. The estimated increase due to fortification is ₱50.00/bag or about one peso per kilo of refined sugar.

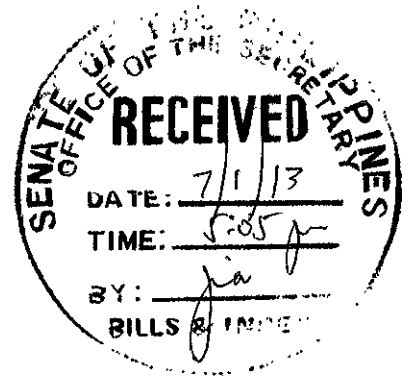
In view of these constraints in the implementation of the mandatory fortification of refined sugar, this bill seeks to amend R.A. 8976 by removing or excluding refined sugar from the list of products covered by mandatory food fortification.



MARIA LOURDES NANCY S. BINAY
Senator

SIXTEENTH CONGRESS OF THE REPUBLIC)
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First Regular Session)

SENATE
S. B. No. 234



Introduced by Senator Maria Lourdes Nancy S. Binay

1 AN ACT TO REMOVE OR EXCLUDE REFINED SUGAR FROM THE LIST OF
2 PRODUCTS COVERED BY MANDATORY FOOD FORTIFICATION,
3 AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 8976,
4 OTHERWISE KNOWN AS THE "FOOD FORTIFICATION ACT OF 2000"

5
6 *Be it enacted by the Senate and House of Representatives of the Philippines in*
7 *Congress assembled:*

8
9 **SECTION 1.** Section 3 of Republic Act No. 8976, otherwise known as the
10 "Philippine Food Fortification Act of 2000" is hereby amended to delete refined sugar
11 from the definition of "Manufacturer".

12
13 **SECTION 2.** Section 6 of the same Act is hereby amended to delete refined sugar
14 *mutatis mutandis* from the enumeration.

15
16 **SECTION 3.** Section 8 of the same Act is hereby amended to delete refined sugar
17 *mutatis mutandis*.

18
19 **SECTION 4. 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
21 remain valid and subsisting..

22
23 **SECTION 5. Repealing Clause.** - All other laws, decrees, executive orders,
24 proclamations, and administrative regulations or parts thereof inconsistent herewith
25 are hereby repealed or modified accordingly.

26
27 **SECTION 6. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in at least two (2) newspapers of general
29 circulation.

Approved,