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Senate  
Office of the Secretary

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

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SENATE  
S.B. No. 269

RECEIVED BY: *[Signature]*

**Introduced by Sen. Manuel "Lito" M. Lapid**

**EXPLANATORY NOTE**

The World Health Organization ("WHO") has promoted the ban on junk foods in schools and playgrounds to promote healthier diets for children. The banning of junk food in or near schools would deter the rising incidence of child obesity, and oral, cardiovascular and other health problems.

Healthy eating plays an important role in learning and cognitive development. Studies show that children who do not get adequate nutrients have lower academic test scores. Ensuring the availability of food that are high in nutritional content will not only promote better health but also better learning.

The present legislation intends to restrict the sale of junk food within and around the premises of primary and secondary schools. Junk food shall be identified as food that are high in calorie and sugar content. Noting the success of similar measures in foreign countries, the undersigned urges the immediate passage of this measure.

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



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AN ACT  
PROHIBITING THE SALE OF JUNK FOODS FROM PRIMARY AND  
SECONDARY SCHOOLS

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

1           **SECTION 1. *Short Title.*** - This Act shall be known as the "Junk Food Ban  
2 Act of 2013."

3  
4           **SEC. 2. *Declaration of Policy.*** - It is the policy of the State to protect and  
5 promote the youth's right to health as well as to instill health consciousness  
6 amongst the youth.

7  
8           **SEC. 3. *Definition of Terms.*** - As used in this Act, unless otherwise  
9 indicated:

10           (a) "Junk food" means all food and beverages containing calorie and  
11 sugar or sodium content above the prescribed nutritional limits by the  
12 Department of Education in coordination with the Department of Health and  
13 other concerned agencies.

14           (b) "School" means all primary- and secondary-level schools in the  
15 country.

16           (c) "Class hours" means the period from one-half hour before the start  
17 of classes and one-half hour after the end of the last scheduled class for any given

1 school day, including make-up classes scheduled on a day other than a regular  
2 school day and extra-curricular activities required by the school.

3

4 **SEC. 4. *Application.*** - The provisions of this Act and its implementing  
5 rules shall only affect foods that are sold or distributed on school premises  
6 during class hours and shall not affect foods sold at activities and events  
7 conducted on school premises beyond class hours, except activities and events  
8 that students are required by the school to attend.

9

10 **SEC. 5. *Food Standards.*** - Schools shall ensure the availability of healthy  
11 snack foods with whole grains, low fat dairy, fruits, vegetables, or protein foods  
12 as their main ingredients. Foods with calorie, fat, sugar, and sodium content  
13 above the limits prescribed by implementing rules to be determined by the  
14 Department of Education in coordination with the Department of Health and  
15 other concerned agencies shall not be allowed within school premises.

16

17 **SEC. 6. *Beverage Standards.*** - Schools shall ensure that carbonated and  
18 caffeinated drinks are not made available within school premises.

19

20 **SEC. 7. *Exception for Special Events.*** - Bagged lunches or treats for  
21 special occasions such as birthday parties, holidays, and other similar  
22 celebrations shall not be subject to the food and beverage standards imposed in  
23 this Act and its implementing rules.

24

25 **SEC. 8. *Transition Period.*** - Schools and school vendors shall be given a  
26 grace period of one year from the release of the implementing rules to  
27 completely implement the provisions of this Act and said rules without penalty  
28 for violations thereof.

29

30 **SEC. 9. *Penalties.*** - Schools that fail to implement the provisions of this  
31 Act shall pay a fine of not less than Three Hundred Thousand Pesos  
32 (Php300,000.00) for the first violation; not more than Six Hundred Thousand  
33 Pesos (Php600,000.00) for the second violation; and not more than One Million  
34 Pesos (Php1,000,000.00) for the third violation.

35

1           **SEC. 10. *Implementing Agency.*** - The Department of Education in  
2 coordination with the Department of Health shall promulgate rules and  
3 regulations to implement the provisions of this Act not later than ninety (90)  
4 days from the effectivity of this Act.

5  
6           **SEC. 11. *Repealing Clause.*** - All laws, presidential decrees, executive  
7 orders, rules, and regulations, or portions thereof, inconsistent with this Act are  
8 hereby repealed or modified accordingly.

9  
10           **SEC. 12. *Separability Clause.*** If any part of provision of this Act shall be  
11 held unconstitutional or invalid, other provisions hereof which are not affected  
12 thereby shall continue to be in full force and effect.

13  
14           **SEC. 13. *Effectivity.*** This Act shall take effect fifteen (15) days after its  
15 publication in the Official Gazette or in two (2) newspapers of general  
16 circulation.

Approved,