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SIXTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES First Regular Session

SENATE S.B. No. _269)

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Introduced by Sen. Manuel "Lito" M. Lapid

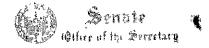
EXPLANATORY NOTE

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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S.B. No. 269

Introduced by Sen. Manuel "Lito" M. Lapid

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:

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

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.

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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 the15 country.

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

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

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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.

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

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

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

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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.

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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.

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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.

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

- 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.
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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.

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Approved,

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