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SENATE  
S. No. 1140

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides:

The State shall protect and promote the right to health of the people and instill health consciousness among them.

There are four kinds of fats: monounsaturated fat, polyunsaturated fat, saturated fat, and trans fat. Monounsaturated fat and polyunsaturated fat are the "good" fats. It is generally accepted that consumption of saturated fat should be kept low, especially for adults. Trans fat (which means trans fatty acids) is the worst kind of fat, far worse than saturated fat. Partial hydrogenation is an industrial process used to make cooking oil more solid, provide longer shelf-life in baked products, provide longer fry-life for cooking oils and provide a certain kind of texture or "mouthfeel." The big problem is that partially hydrogenated oil is laden with lethal trans fat.

Partially hydrogenated oils are commonly found in processed foods like commercial baked products such as cookies, cakes and crackers, and even in bread. They are also used as cooking oils for frying in restaurants. Top nutritionists at Harvard have concluded that trans fat could be responsible for as many as 30,000 premature coronary deaths per year. Cardiovascular disease is the leading cause of mortality in the Philippines. Trans fats cause significant and serious lowering of HDL (good) cholesterol and a significant and serious increase in LDL (bad) cholesterol. They have been shown to make the arteries more rigid, cause major clogging of arteries, insulin resistance, cause or contribute to type 2 diabetes and cause or contribute to other serious health problems. There is considerable evidence linking an increased risk of heart disease and stroke more strongly to low HDL levels than to high LDL levels. In addition to enabling the

body to get rid of unwanted cholesterol, HDL also acts in several other protective ways. It is an antioxidant deterring the harmful oxidation of LDL, and as an anti-inflammatory agent, helping to repair what is now considered a major player in blood vessel disease. It also has anti-clotting properties, which can help keep blood clots from blocking arteries.

In a study conducted in Australia, scientists acquired dietary information as well as fat biopsy samples from 79 people. Each had just had a first heart attack. The researchers obtained similar information and biopsy samples from 167 people without heart problems. The researchers inquired specifically about the participants' type and amount of fat intake. The heart patients and healthy individuals were also matched for age, gender, and socioeconomic background. Analysis revealed that trans fats from both animal and vegetable sources were significantly more abundant in the fat tissues of heart attack patients than in the healthy volunteers. The relationship of abundant trans fats with heart risk remained even after the scientists statistically accounted for the effect of saturated fats in the participants' diets.

This bill seeks to address the problems caused by the consumption of trans fats by banning its use. There are several healthier alternatives to trans fats. This will give consumers healthier choices when they eat in food service establishments.\*

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
*MS*

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\* This bill was originally filed in the Fourteenth Congress, Second Regular Session.

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1 AN ACT  
2 PROHIBITING THE USE OF TRANS FATTY ACIDS IN FOOD FACILITIES

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

3 SECTION 1. *Short Title.* – This Act shall be known as the “Trans Fat Prohibition Act.”

4 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

5 (A) “Food facility” means an operation that stores, prepares, packages, serves, vends, or  
6 otherwise provides food for human consumption at the retail level;

7 (B) “Trans fat” refers to a type of unsaturated fat, also known as trans fatty acid, made  
8 through the chemical process of hydrogenation of oils. Hydrogenation solidifies liquid  
9 oils and increases the shelf life and the flavor stability of oils and foods that contain them.

10 Trans fat is found in vegetable shortenings and in some margarines, crackers, cookies,  
11 snack foods and other foods;

12 (C) “Department” refers to the Department of Health;

13 (D) “Secretary” refers to the Secretary of Health.

14 SECTION 3. *Requirements for Food Facilities.* – Every food facility shall maintain on  
15 the premises the manufacturer's documentation or label for any food or food additive that is or  
16 includes any fat, oil, or shortening, for as long as this food or food additive is stored, distributed,  
17 or served by, or used in the preparation of food within, the food facility. The manufacturer's  
18 documentation may be maintained in lieu of the label. The manufacturer's documentation  
19 described in this section shall be authorized by the department and disclose one or both of the  
20 following–

1 (A) The trans fat content of the food or food additive;

2 (B) Whether a food or food additive is or includes margarine, vegetable shortening, or  
3 any kind of partially hydrogenated vegetable oil;

4 SECTION 4. *Prohibition on the Use of Trans Fats.* – The following deadlines on the  
5 use of trans fats shall be observed—

6 (A) One (1) year after the enactment of this Act, no oil, shortening, or margarine  
7 containing artificial trans fat for use in spreads or frying, except for the deep frying of  
8 yeast dough or cake batter, may be stored, distributed, or served by, or used in the  
9 preparation of any food within a food facility;

10 (B) Two (2) years after the enactment of this Act, no food containing artificial trans fat,  
11 including oil and shortening that contains artificial trans fat for use in the deep frying of  
12 yeast dough or cake batter, may be stored, distributed, or served by, or used in the  
13 preparation of any food within, a food facility;

14 (C) For purposes of this section, food contains artificial trans fat if the food contains  
15 vegetable shortening, margarine, or any kind of partially hydrogenated vegetable oil,  
16 unless the manufacturer's documentation or the label required on the food, lists the  
17 trans fat content as less than 0.5 grams per serving.

18 SECTION 5. *Penalties.* – The Department is empowered to establish and assess penalties  
19 or fines against violators of this Act pursuant to regulations promulgated by the Secretary under  
20 this Act. In no circumstance will any penalty or fine exceed ₱10,000.00 per day for each day of  
21 violation of any provision of this Act.

22 SECTION 6. *Separability Clause.* – If any provision or part hereof is held invalid or  
23 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
24 valid and subsisting.

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

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

Approved,