

SIXTEENTH CONGRESS OF THE )  
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Second Regular Session )



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SENATE  
Senate Bill No. 2776

RECEIVED BY: lv

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Introduced by SENATOR CYNTHIA A. VILLAR

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**AN ACT  
MANDATING THE ESTABLISHMENT OF INSTRUCTIONAL GARDENS IN  
ALL ELEMENTARY AND SECONDARY SCHOOLS, PUBLIC OR PRIVATE,  
MAKING IT A REQUIREMENT FOR THE CREATION AND ISSUANCE OF  
PERMITS FOR SCHOOLS AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Section 15, Article II of the 1987 Constitution states that:

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

In a 2014 report by the World Health Organization<sup>1</sup>, it was shown that as of 2012, an estimated forty-four (44) million of children under five (5) years of age were overweight or obese worldwide. From 5% in 1990, the global prevalence of overweight and obese children has grown to 7% in 2012.

In the Philippines, this prevalence has increased from 1.9% (140,000 people) in 1990 to 3% (270,000 people) in 2013 for children between the age 1 to 4. For children between the age 5 to 9, this has increased from 2.9% (240,000) to 5.1% (570,000). For adolescents between the age 10 to 14, this has increased from 3.6% (270,000) to 7.1% (780,000). Finally, for teenagers between 15 to 19, this increased from 3.4% (220,000) to 6.4% (640,000).<sup>2</sup>

On the flipside, the Philippines has a prevalence rate of 19.8% of underweight and 30.3% of stunted children under the age of five (5) years.

In both instances, this prevalence, whether underweight or stunted or overweight or obese, may lead to irreversible health impacts if not addressed. Undernourishment leads to vulnerability to certain diseases while obesity increases the risks of developing cancer, cardiovascular diseases, and diabetes, among others.

The number of instant food mixes and other processed food which specifically cater to the palate and food sensitivities of the young reflects the lack of regard for proper diet and nutrition for children, this only shows that child nutrition is marginalized and is least understood by a majority of our population. The lack of government policies specifically providing for access to information on nutrition and making nutrient rich food items available for all compromises the sustenance which a growing child is suppose to obtain in order to promote healthy growth and development.

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<sup>1</sup> [http://www.who.int/gho/publications/world\\_health\\_statistics/2014/en/](http://www.who.int/gho/publications/world_health_statistics/2014/en/)

<sup>2</sup> <http://vizhub.healthdata.org/obesity/>

It is therefore incumbent upon the State to provide programs for encouraging awareness in proper nutrition and at the same time address malnutrition. This is best done during childhood and taught in schools.

The establishment of vegetable gardens in schools can be an effective tool for hunger mitigation. Since 2007, a program called *Gulayan sa Paaralan*<sup>3</sup> began to encourage public schools to establish vegetable gardens, primarily to serve as a source to supplement feeding programs within the area to help alleviate malnutrition and hunger.

Thus this bill seeks to replicate such program through the establishment of *instructional gardens* in elementary and secondary schools, whether private or public, not only a means to alleviate hunger but to serve as a tool to teach the fundamental concepts about nutrition and the cultural and historical aspects of our food supply. A community effort is perceived in this bill and by involving the parents and the other members of the community, school gardens can create opportunities for all to learn and make healthier food choices and in the long run, eradicate malnutrition and obesity. By focusing on the health of our young citizens we can better ensure the success of our future generation.

For the foregoing reasons, the passage of this bill is sought.



**CYNTHIA A. VILLAR**

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<sup>3</sup> <http://www.rappler.com/move-ph/issues/hunger/57789-fighting-malnutrition-vegetable-gardens>



1 curriculum as well as the cultural and historical aspects of agriculture and food  
2 production. This program shall be used to equally enhance any subject area including  
3 science, environmental education, mathematics, reading, writing, art, nutrition, physical  
4 education, history, and geography.

5 The schools shall develop a system of involving the parents of their students and the  
6 community at large in its instructional garden program to promote awareness on health  
7 and nutrition as well as the economic benefits of establishing a school, household and  
8 community garden.

9 **SEC. 6. *Identification of Plot of Land.*** – No school, elementary or secondary, shall be  
10 established without first securing an endorsement from the Division Superintendent  
11 attesting that a plot of land has been designated to form part of an instructional garden  
12 or an area has been identified where a garden using hydroponic gardening methods  
13 and other organic gardening technologies shall be located. The provisions of this  
14 section shall apply to schools seeking the issuance of permits for their academic  
15 programs.

16 **SEC. 7. *Tax Incentives.*** – All allocations of grants, endowments, donations, or  
17 contributions and technical assistance provided by the private individuals or  
18 corporations to schools and other educational institutions for this purpose as certified by  
19 the Department of Education, shall be exempt from taxes and duties.

20 **CHAPTER III**  
21 **GENERAL PROVISIONS**

22 **SEC. 8. *Implementing Rules and Regulations.*** – The Department of Education after  
23 consultation with other government agencies, schools and education and health  
24 advocacy groups shall issue the necessary rules and regulations to implement this Act.

25 **SEC. 9. *Repealing Clause.*** – All other laws, decrees, executive orders, proclamations,  
26 and administrative regulations inconsistent with the provisions of this Act are hereby  
27 amended, modified or repealed accordingly.

28 **SEC. 10. *Separability Clause.*** – In the event that any provision of this Act is declared  
29 unconstitutional, such declaration shall not affect the validity of the other provisions.

30 **SEC. 11. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its  
31 complete publication in the Official Gazette or in two (2) newspapers of general  
32 circulation.

33 *Approved,*