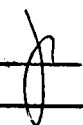


16 AUG 16 2012

SENATE
S.B. No. 1028

RECEIVED BY: 

Introduced by Senator Francis N. Pangilinan

AN ACT
CREATING A SYSTEM OF FOOD DISTRIBUTION FOR ADDRESSING
THE NUTRITIONAL NEEDS OF THE PEOPLE PROVIDING FOR ITS
PROCUREMENT PROCESS AND APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES

EXPLANATORY NOTE

The Philippines, as a signatory of the International Covenant on Economic, Social and Cultural Rights, recognizes the fundamental right of everyone to be free from hunger and to an adequate standard of living for himself and his family, including adequate food. It is the policy of the State to promote a just and dynamic social order that will ensure the prosperity of the nation and free the people from poverty by providing adequate social services and an improved quality of life for all (1987 Constitution, Article II, Section 9). To this end, the State is mandated to defend the right of children to proper care and nutrition and other conditions prejudicial to their development (1987 Constitution, Article XV, Section 3(B)).

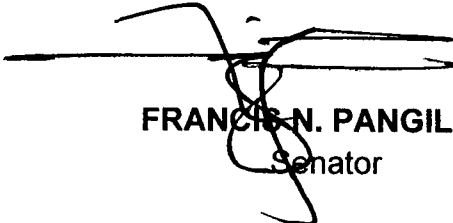
According to the June 2016 Global Food Security Index, the Philippines is considered among the most vulnerable to food insecurity ranking 74th out of 113 food secure countries. Food security exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences for an active and healthy life.

In 2015, the Philippines received a Global Hunger Index of 20.1 indicating a serious level of hunger. In a "2015 Regional Overview of Food Insecurity in Asia and the Pacific" study conducted by Food and Agriculture Organization of the United Nations (UN FAO), approximately 17.5 million Filipinos are found to be undernourished with 33.6% of the children stunted. Meanwhile, 19% of the whole population live with a daily budget of less than P50.00. Additionally, the country failed to achieve the World Food Summit (WFS) target of halving the number of undernourished people by 2015.

Although poverty is undoubtedly a cause of hunger, lack of adequate and proper nutrition itself is an underlying cause of poverty. UN FAO identified the following ways in which undernourishment affect the ability of individuals to escape poverty, viz:

- a) Reduces the capacity for physical activity and hence the productive potential of the labor of those who suffer from hunger;
- b) Impairs people's ability to develop physically and mentally, retarding child growth, reducing cognitive ability and seriously inhibiting school attendance and performance;
- c) Causes serious long-term damage to health, linked to higher rates of disease and premature death;
- d) Passes from generation to generation. Hungry mothers give birth to underweight children who start life with a handicap; and
- e) Contributes to social and political instability that further undermines government capacity to reduce poverty.

Malnutrition starts as early as infancy and its effects can last until adulthood. Thus, the State must undertake necessary steps to alleviate hunger. This bill addresses the issues of hunger and consequently poverty by institutionalizing the National Feeding Program, streamlining the food procurement and food distributions systems, and creating a structured demand that ensures and raises the income of poor people, who are mostly farmers. In doing so, the State is ensured that children are not only properly fed but also that the poorest fishermen, farmers, and agricultural workers are assured of a regular livelihood. Thus, the passage of this bill is earnestly sought.

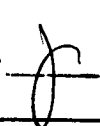


FRANCIS N. PANGILINAN
Senator



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SENATE
S.B. No. 1028

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AN ACT
CREATING A SYSTEM OF FOOD DISTRIBUTION FOR ADDRESSING
THE NUTRITIONAL NEEDS OF THE PEOPLE PROVIDING FOR ITS
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OTHER PURPOSES

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

SECTION 1. Short Title. – This act shall be known as the “National Food Security Act
of 2016.”

SEC. 2. Declaration of Policy. – It is hereby declared a policy of the State to develop,
create, and implement a nationwide feeding program to alleviate poverty and hunger in
the country. The Universal Declaration of Human Rights, ratified by the Philippines,
states everyone has the right to a standard of living adequate for the health and well-
being of himself and of his family, including food. Furthermore, the Constitution states
“The State shall protect and promote the right to health of the people and instill health
consciousness among them.”

CHAPTER I
National Feeding Program

SEC. 3. National Feeding Program. – There is, hereby, established a National
Feeding Program which shall aim to alleviate hunger and malnutrition for children ages
0 – 13 years old.

SEC. 4. Creation of a National Hunger Targeting System. – The Philippine Statistics
Authority (PSA), in coordination with the Department of Social Welfare and
Development (DSWD) and Department of Health (DOH), shall establish a nationwide
database that identifies groups and/or individuals that have the least access to proper
nutrition. The database shall identify the most vulnerable groups and/or individuals to be
listed as beneficiaries.

SEC. 5. Infant Feeding Program. – The DOH, in consultation with DSWD, shall create
a system of distribution through the Barangay Health Workers of food packets for those

targeted by the National Hunger Targeting System. The food packets shall supplement the nutritional and dietary needs of children ages 0 – 12 months, as determined by the National Nutrition Council (NNC).

SEC. 6. Supplementary Feeding Program. – The DSWD shall ensure that children ages 2 - 5 years old receive the proper nutrients and diet while under their care. Beneficiaries shall be given meals that will meet their nutritional needs. The DSWD shall consult with the NNC on the proper nutritional and dietary needs of the children. The following shall be the beneficiaries:

- a) Children 2 – 4 years old in the Supervised Neighborhood Play (SNP) Area
- b) Children 3 – 4 years old enrolled in Day Care Centers (DCC); and
- c) Children 5 years old not enrolled in the Department of Education (DepEd) preschool system but enrolled in DDCs.

SEC. 7. Elementary Feeding School Program. – The DepEd shall ensure that students from Kindergarten to Grade 4 are given during school hours meals that meet the minimum nutritional and dietary requirements established by the NNC.

CHAPTER II Procurement

SEC. 8. Procurement of Produce. – The Government is hereby mandated to ensure that at least thirty percent (30%) of all agricultural food and produce needed to implement the National Feeding Program are procured from Small-Scale Producers.

SEC. 9. Registry of Small-Scale Producers. – The DA shall keep, maintain and regularly update a list of Small-Scale Producers. The Registry of Small-Scale Producers shall use the Registry for Basic Sectors in Agriculture (RSBSA), the Regional Field Office (RFO) list of beneficiaries, the Bureau of Fisheries and Aquatic Resources' National Program for Municipal Fisherfolk Registration (BFAR FishR) for fisherfolk, and any other list the DA may deem necessary to update its Registry. Furthermore, the DA shall coordinate with the DSWD to compare the Registry with the DSWD's National Household Targeting System for Poverty Reduction (NHTS-PR) to avoid duplication and redundancy.

SEC. 10. Procurement Process for Small-Scale Producers. – For the purposes of this Act, the procurement of agricultural food and produce from Small-Scale Producers shall be exempt from the application of the procurement process prescribed under relevant government procurement laws. Provided, Small-Scale Producers shall undergo Negotiated Procurement Participation under the guidelines of the Government Procurement Policy Board (GPPB).

SEC. 11. Negotiated Procurement Participation. – Small-Scale Producers shall enter a Negotiated Procurement with the government under the guidelines of the GPPB when all of the following conditions are met:

- a) DA Validation – certification from the DA that the Small-Scale Producer is included in the Registry of Small-Scale Farmers.

- 1 b) Produce/Product Sustainability – when the Small-Scale Producer has the ability
2 to continue to meet the demand for his produce or product for prolonged periods
3 of time, regardless of any government intervention.
- 4 c) Community Enrichment – when there is a viable means of improving the well-
5 being of the community where the Small-Scale Producer is situated. This seeks
6 to extend the benefits that may arise from the contract between the Small-Scale
7 Producers and the government. The goal is to achieve positive outcomes
8 including but not limited to poverty reduction, access to education, equitable
9 distribution and management of natural resources, climate change
10 adaptation/mitigation, disaster risk reduction, gender equality, disease reduction,
11 and job generation, among others.

12 **SEC. 12. Support Services for Small-Scale Producers under the Department of**
13 **Agriculture.** – The DA shall institute the following benefits for Small-Scale Producers
14 as contained in the Registry of Small-Scale Producers:

- 15 a) Training on Production, Harvesting, Procurement Process of this Act, and any
16 other relevant capacity-building programs for the Small-Scale Producers the DA
17 sees fit;
- 18 b) Subsidized Farm Equipment;
- 19 c) Provision of facilities for storage and harvesting;
- 20 d) Access to Crop Insurance; and
- 21 e) Access to credit with low interest rates.

22 **SEC. 13. Support Services for Agrarian Reform Beneficiaries who are Small-Scale**
23 **Producers.** – The Department of Agrarian Reform (DAR) shall institute the following
24 benefits for Agrarian Reform Beneficiaries included in its list of beneficiaries who are
25 Small-Scale Producers:

- 26 a) Training on Production, Harvesting, Procurement Process of this Act, and any
27 other relevant capacity-building programs for the Small-Scale Producers the DAR
28 sees fit;
- 29 b) Subsidized Farm Equipment;
- 30 c) Provision of facilities for storage and harvesting;
- 31 d) Access to Crop Insurance; and
- 32 e) Access to credit with low interest rates.

33 **CHAPTER III**
34 **Food Council**

35 **SEC. 14. National Food Security Council.** – A National Food Security Council,
36 hereafter referred to as Council, is hereby created as an attached and independent
37 agency to the Office of the President.

38 **SEC. 15. Mandate of the Council.** – The Council is mandated to act as the check and
39 balance organization for the food security system. It shall oversee the effective
40 distribution, procurement, and targeting of beneficiaries as mandated in this Act. It shall
41 also serve as a coordinating body for the different departments involved in the
42 implementation of this Act.

1 **SEC. 16. Chairperson of the Council.** – The Chairperson of the Council shall be
2 appointed to a six year term by the President of the Philippines. No person may be
3 Chairperson if he has not met the following criteria:

- 4 a) Ten (10) years of work experience in a civil society organization involved in Food
5 Security;
- 6 b) Has no relatives, to the second degree of consanguinity, in the government;
- 7 c) Has good moral character; and
- 8 d) No pending cases.

9 **SEC. 17. Membership of the Council.** – The Council shall consist of the following
10 members:

- 11 a) Representative from the Department of Agriculture
- 12 b) Representative from the Department of Agrarian Reform
- 13 c) Representative from the Department of Social Welfare and Development
- 14 d) Representative from the Department of Interior and Local Government
- 15 e) Representative from the Department of Education
- 16 f) Representative from the Department of Health
- 17 g) Representative from the Department of National Nutrition Council
- 18 h) Representative from the Department of Science and Technology – Food and
19 Nutrition Research Institute
- 20 i) Four (4) representatives from Civil Society involved in food security or hunger
21 alleviation
- 22 j) Four (4) representatives from Small-Scale Producers group

23 **SEC. 18. Representatives from Civil Society Involved in Food Security or Hunger**
24 **Alleviation.** – The Representatives for Civil Society shall be appointed by the President
25 of the Philippines upon the recommendation of the National Anti-Poverty Commission.
26 No representative may be appointed or recommended if he has not met the following
27 criteria:

- 28 a) Five (5) years of service under a Civil Society Organization involved in food
29 security or hunger alleviation;
- 30 b) Has no position in any government agency or office;
- 31 c) Has no relatives, to the second degree of consanguinity, in the government;
- 32 d) Has good moral character; and
- 33 e) No pending cases.

34 **SEC. 19. Representatives from Small-Scale Producers Group.** – The
35 Representatives for Small-Scale Producers shall be appointed by the President of the
36 Philippines upon the recommendation of the Department of Agriculture. No
37 representative may be appointed or recommended if he has not met the following
38 criteria:

- 39 a) Five (5) years of service as a practicing Small-Scale Producer;
- 40 b) Has no position in any government agency or office;
- 41 c) Has no relatives, to the second degree of consanguinity, in the government;
- 42 d) Has good moral character; and
- 43 e) No pending cases.

1 **SEC. 20. Appropriations.** – The funds needed to implement this Act shall be included
2 in the Annual General Appropriations Act.

3 **SEC. 21. Implementing Rules and Regulations.** – Within sixty (60) days from the
4 appointment of its members, the Council shall promulgate such rules and regulations
5 necessary for the effective implementation of this Act.

6 **SEC. 22. Separability Clause.** – If any provision of this Act is declared unconstitutional
7 or invalid, the other provisions not so declared shall remain in full force and effect.

8 **SEC. 23. Repealing Clause.** – All laws, decrees, executive orders, department or
9 memorandum orders and other administrative issuances or parts thereof which are
10 inconsistent with the provisions of this Act are hereby modified, superseded or repealed
11 accordingly.

12 **SEC. 24. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
13 publication in the Official Gazette or in at least two (2) newspapers of general
14 circulation.

Approved,