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SENATE
P.S.R NO. 681

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INTRODUCED BY SEN. ANA THERESIA "RISA" HONTIVEROS BARAQUEL

1 **RESOLUTION DIRECTING THE SENATE COMMITTEE ON HEALTH AND**
2 **DEMOGRAPHY AND THE COMMITTEE ON WOMEN, CHILDREN, FAMILY**
3 **RELATIONS AND GENDER EQUALITY, TO CONDUCT AN INQUIRY IN**
4 **AID OF LEGISLATION ON THE ALLEGED ACTS COMMITTED BY**
5 **BREASTMILK SUBSTITUTE COMPANIES WHICH ARE IN VIOLATION OF**
6 **EXECUTIVE ORDER 51 OR THE MILK CODE OF THE PHILIPPINES**
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8

9 WHEREAS, Executive Order 51 (E.O. 51), also known as the Milk Code of the
10 Philippines was enacted in 1986 to primarily ensure the adequate promotion of breastfeeding
11 as the primary source of infant nutrition as it provides them with enormous health benefits
12 in every stage of their development;
13

14 WHEREAS, the law mandates an extensive information and education campaign on
15 breastfeeding, and that appropriate regulations on the marketing and distribution of
16 breastmilk substitutes be enacted to further operationalize the objectives of the law;
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18 WHEREAS, the law expressly prohibits manufacturers and distributors from directly
19 or indirectly distributing samples or promotional materials, such as discount coupons, that
20 may encourage the sale of breast milk substitutes at the retail level;
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22 WHEREAS, the law also specifically prohibits the distribution of gift items or
23 giveaways that promote breast milk substitutes to the general public, health institutions, and
24 health professionals, and particularly to mothers and pregnant women;
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26 WHEREAS, the law clearly states that the content of information materials that may
27 be distributed to health professionals shall be limited to scientific and factual knowledge, and
28 shall not advocate for breast milk substitutes as a better option to breastfeeding;
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30 WHEREAS, investigations conducted by *The Guardian*¹ and *Save the Children*² revealed
31 that some companies that manufacture breast milk substitutes widely distributed pamphlets

¹ Ellis-Petersen, H. (2018, February 27). *The Guardian*. Retrieved March 9, 2018, from The Guardian:
<https://www.theguardian.com/lifeandstyle/2018/feb/27/formula-milk-companies-target-poor-mothers-breastfeeding>

² Ibid

1 that promote particular brands of breastmilk substitutes as better alternatives to breast milk.
2 The pamphlets allegedly also came with promotional coupons;

3
4 WHEREAS, the same reports alleged that these companies have likewise taken
5 advantage of social media to widen their reach in promoting breastmilk substitutes by using
6 targeted advertisement on Facebook, and partnering with social media influencers, such as
7 “mommy bloggers”;

8
9 WHEREAS, despite regulations against it, these companies allegedly continue to
10 sponsor the costly trips of healthcare professionals to conferences and trainings, and pay for
11 other lavish outings in exchange for recommending breast milk substitutes to mothers;

12
13 WHEREAS, the prices of breast milk substitutes, which reportedly can take up to
14 three quarters of a poor family’s income, is a huge burden on the underprivileged;

15
16 WHEREAS, if this continues unchecked, these unethical practices by breast milk
17 substitute companies will undermine government efforts to promote breastfeeding and
18 further reduce the number of mothers who exclusively breastfeed their children in their first
19 six (6) months;

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21
22 NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved to direct the
23 Senate Committee on Health and Demography and the Committee on Women, Children,
24 Family Relations, and Gender Equality to conduct a review and assessment of EO 51 of
25 1986 in order to determine whether breast milk substitute companies violated the law, and to
26 ascertain whether there is a need to amend, and thus, further strengthen the law.

Adopted,


ANA THERESIA “RISA” HONTIVEROS