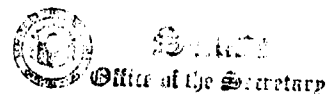


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'18 MAY 21 P5:22

SENATE
S.B. NO. 1813

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Introduced by Senator Maria Lourdes Nancy S. Binay

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

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Philippine Constitution provides:

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

According to the World Health Organization (WHO), artificial trans fats are made when vegetable oil hardens in a process called hydrogenation. Those hydrogenated fats are used in fried foods, snacks foods or baked goods, and in products such as vegetable shortening, stick margarine, coffee creamer and ready-to-use frostings. Artificial trans fats, or trans fatty acids, do not spoil as quickly as other fats and are known to have harmful health effects such as rising levels of bad LDL cholesterol and increasing risk of heart disease, stroke and type 2 diabetes.

Cardiovascular diseases and diabetes are among the top leading causes of death in the Philippines. The Department of Health (DOH) defined these diseases as Lifestyle Related Non-communicable diseases in the National Objective for health since these diseases share common risk factors attributed largely to unhealthy lifestyles. The DOH also identified that these Lifestyle Related Non-communicable diseases cause more than half of all deaths annually. Furthermore, hypertension and diseases of the heart have also been identified as among the ten leading cause of illnesses each year.

This bill seeks to prohibit the use of artificial trans fats for the purpose of reducing lifestyle related diseases through the promotion of a healthy lifestyle and to provide consumers healthier alternatives in food service facilities.

In view of the foregoing, the passage of this bill is earnestly sought.


MARIA LOURDES NANCY S. BINAY
Senator

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

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

3 Sec. 2. *Definitions of Terms.* – As used in this Act, the term:

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

7 (B) “Trans fat” refers to a type of unsaturated fat, also known as trans
8 fatty acid, made through the chemical process of hydrogenation of
9 oils. Hydrogenation solidifies liquid oils and increases the shelf life
10 and the flavor stability of oils and foods that contain them. Trans
11 fat is found in vegetable shortenings and in some margarines,
12 crackers, cookies, snack foods and other foods:

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

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

15 Sec. 3. *Requirements for Food Facilities.* – Every food facility shall
16 maintain on the premises the manufacturers’ documentation or label for any food
17 or food additive that is or includes any fat, oil, or shortening, for as long as this
18 food or food additive is stored, distributed, or served by, or used in the
19 preparation of food within, the food facility. The manufacturer’s documentation

1 may be maintained in lieu of the label. The manufacturer's documentation
2 described in this section shall be authorized by the department and disclose one
3 or both of the following –

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

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

7 *Sec. 4. Restriction on the Use of Trans Fats.* – The following deadlines on
8 the use of trans fats shall be observed –

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

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

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

24 *Sec. 5. Penalties.* – The Department is empowered to establish and assess
25 penalties or fines against violators of this Act pursuant to regulations
26 promulgated by the Secretary under this Act. In no circumstance will any penalty
27 or fine exceed P10,000.00 per day for each day of violation of any provision of
28 this Act.

1 Sec. 6. *Separability Clause.* – If any provision or part hereof is held invalid
2 or unconstitutional, the remainder of the law or the provision not otherwise
3 affected shall remain valid and subsisting.

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

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

Approved,