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SENATE

S.B. No. 1280

RECEIVED BY: \_\_\_\_\_

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Introduced by **SENATOR JOEL VILLANUEVA**

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**AN ACT MANDATING FOOD MANUFACTURERS TO DISPLAY  
COLOR-CODED NUTRITIONAL INFORMATION ON FOOD  
PACKAGING AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The Filipino population suffers from the “double burden of malnutrition,” or the co-existence of undernutrition along with overweight and obesity. Data from the 2018 Expanded National Nutrition Survey (ENNS) by the Food and Nutrition Research Institute (FNRI) shows that while 30% of children below five years old are stunting, the prevalence of overweight and obesity among school children, adolescents, and adults is increasing at an alarming rate.

According to the ENNS, 11.7% of school children, 11.6% of adolescents, and 37.2% of adults are overweight or obese in 2018. In figures, this totals to approximately 24 million overweight or obese Filipinos who are vulnerable to developing non-communicable diseases (NCDs), such as cardiovascular diseases, cancer, and diabetes. These rates are way higher than the prevalence in 2003 when overweight and obese constitute only 1.9% of school children, 4.9% of adolescents, and 24% of adults.

Meanwhile, data from the Family Income and Expenditure Survey (FIES) shows that fruits and vegetables constitute a declining share of food consumed at home. In contrast, the consumption of cereals and cereals products, which include bread, noodles, and snack foods made from wheat flour, follows an increasing trend, from 28% in 2003 to 35% of total food consumed at home in 2015.

The World Health Organization (WHO) noted that inadequate intake of such fruits and vegetables, together with high concentration of cholesterol in blood, physical inactivity, and tobacco use, are identified as huge risk factors to NCDs.

In light of the foregoing, a law that empowers consumers with health information is necessary to promote among the general population the consumption of adequate and well-balanced diet and healthy lifestyles. Thus, this bill requires food manufacturers to provide color-coded nutrition label for pre-packed products sold in retail outlets. This is to inform their consumers at a glance if the food has high, medium, or low amounts of fat, saturated fat, sugars, and salt.

Instilling health consciousness among consumers and enabling them to make informed decisions about their eating habits will not only reduce health risks, but also boost productivity, and improve the overall quality of life of Filipinos.

Thus, the immediate passage of this bill is earnestly sought.

  
SENATOR JOEL VILLANUEVA

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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 “Traffic Light Nutritional  
2 Labeling Scheme on Food Packaging Act.”  
3

4 **SEC. 2. Declaration of Policy.** – The State hereby recognizes that a healthy diet is  
5 a foundation of good health, and a crucial element in improving individuals’  
6 productivity and overall well-being. In consideration of the fact that the prevalence of  
7 non-communicable diseases (NCDs) is aggravated by poor nutrition, among others,  
8 the State shall instill health consciousness among Filipinos towards a desirable food  
9 consumption pattern. The State shall also protect and promote the right of every  
10 consumer to make informed decisions that can affect their short-term and long-term  
11 health. Towards this end, the State recognizes that a color-coded scheme is  
12 effective in conveying to consumers quick information on the nutritional content of  
13 the food products they consume.  
14

15 **SEC 3. Definition of Terms.** – For the purposes of this Act, the following terms shall  
16 have the following meanings:  
17

- 18 a) “Food product package” means the packet and package of food products that  
19 are for sale and distribution in the domestic market, importation, trade, and  
20 exchange, such as, but not limited to, packs, tins, boxes, pouches, flip-tops,  
21 slide and shell packages, and cartons.  
22  
23 b) “Nutrition facts” refers to a statement or information on food labels indicating  
24 the nutrient(s) and the quantity of said nutrient found or added in the processed  
25 foods or food products.



c) "Pre-packaged food products" are foods that are sealed in food product package before being offered for sale;

d) "Principal Display Surface" means:

i. In the case of a package and carton that has at least two (2) equal sized sides or surfaces, other than the top and bottom, that may be displayed or visible under normal or customary conditions of sale or use, the areas of each of the two (2) largest surfaces;

ii. In the case of a spherical, cylindrical or conical container of food products, the two (2) largest surfaces that are predominantly displayed; and

iii. In the case of a package and carton that do not have a particular side or surface that is predominantly displayed or visible under normal or customary conditions of sale or use or those that are not described under items (i) and (ii) above, fifty percent (50%) of the three (3) dominant sides or the total surface thereof, whichever is bigger, which will ensure that the color-coded nutritional information is visibly shown.

**SEC 4. Color Coding of Pre-Packaged Food.** – All food manufacturers shall provide color-coded nutrition facts of pre-packaged food products to be shown in the principal display surfaces of food products.

The color-coded nutrition facts provided under this Act shall be categorized based on the fat, saturated fat, sugar and salt content of the food product, which shall be represented by the following color codes:

a) Red, if the food product contains high level of any of the foregoing nutrient;

b) Yellow, if the food product contains medium level of any of the foregoing nutrient; or

c) Green, if the food product contains low level of any of the foregoing nutrient.

*Provided*, That the portion of the principal display surface of the food packaging dedicated to the color-coded nutritional information display shall not be lower than 15% of the surface area of the principal display surface; *Provided further*, That the nutrition labeling requirements under this Act shall not apply to pre-packaged condiments sold in the market; *Provided finally*, That nothing herein shall be construed to exempt food manufacturers from complying with existing mandatory nutritional labelling laws and regulations.

**SEC. 4. Determination of Nutrition Content of Foods and Certification; Quality Assurance.** – The nutrition information provided by food manufacturers in all food product packages shall be in accordance with the standards set by relevant government agencies. For this purpose, the Department of Science and Technology (DOST) Food and Nutrition Research Institute (FNRI) and/or the Food and Drug

Administration shall have the authority to require all food manufacturers to submit sworn statements and relevant information to substantiate their declarations.

**SEC. 5. Transition Period.** – All food manufacturers covered under this Act shall have a period of six (6) months to comply with the provisions of this Act.

**SEC. 6. Penalties.** — All food manufacturers that fail to comply with any provisions of this Act shall be subject to the following penalties:

(a) First (1<sup>st</sup>) Violation – A fine of not less than Five Hundred Thousand Pesos (Php500,000), and an order to comply with the provisions of this Act within two (2) months from the issuance of such order;

(b) Second (2<sup>nd</sup>) Violation – A fine of not less than One Million Pesos (Php1,000,000), with an order to comply with the provisions of this Act within one (1) month from the issuance of such order;

(c) Third (3<sup>rd</sup>) Violation – A fine of not less than Two Million Pesos (Php2,000,000), with an order to comply with the provisions of this Act within seven (7) days from the issuance of such order.

(d) All subsequent violations shall be imposed a fine of not less than Five Million Pesos (Php5,000,000), and revocation of all relevant permits issued by the FNRI and FDA, including revocation of business permit to operate within the concerned local government unit.

Notwithstanding anything to the contrary, the fines imposed under this Section shall be paid to the Department of Health (DOH), which shall be utilized to initiate and execute campaigns relating to nutrition education in public schools.

**SEC. 7. Implementing Rules and Guidelines.** – Within sixty (60) days after the effectivity of this Act, the Department of Health (DOH), the Department of Science and Technology (DOST), and the Department of Trade and Industry (DTI), in consultation with relevant stakeholders, shall formulate the rules and regulations to effectively implement the provisions of this Act.

**SEC. 8. Separability Clause.** – Any portion or provisions of this Act that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions and provisions hereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

**SEC. 9. Repealing Clause.** – All laws, decrees, executive orders, proclamations and administrative regulations, or any parts thereof inconsistent with the provisions of this Act are hereby revoked, repealed or modified accordingly.

**SEC. 10. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation or in the *Official Gazette*.

**Approved,**