

FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session} } 7 JUN 30 P4 26
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SENATE

S. B. No. 237RECEIVED BY: 

Introduced by SENATOR EDGARDO J. ANGARA

EXPLANATORY NOTE

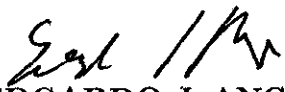
In 1998, 9.2% of our Filipino children of pre-school age were underweight. 7.2% of them were wasted, and 5.4% of them were stunted. In the long-term, these children are more susceptible to infection and disease, and usually with more serious outcomes due to the effects of malnutrition. Consequently too, they absent themselves from school more frequently and have lower scholastic performance.

Malnutrition cuts across all island groupings. Western and Eastern Visayas, Southern and Central Mindanao, Bicol and even parts of the NCR have prevalence rates of underweight over 13%. In addition, over 30% of all children under the age of 5 years suffer from anemia.

The most effective means to target childhood malnutrition is through the public school network. Unfortunately, although there are current school feeding programs administered by the Department of Education, these programs rely heavily on allocations from budgets of senators or congressmen, or donations from private individuals and corporations. There is therefore an urgent need to immediately provide for an institutionalized and legislated child nutrition program targeting public elementary schools throughout the country.

Through the Child Nutrition Act, a budgetary allocation shall be made to institutionalize a School Feeding Program throughout the public elementary school network, incentives shall also be given to private companies donating milk, juices, food and the like to the School Feeding Program.

For the abovementioned reasons, the immediate approval of this bill is earnestly sought.


EDGARDO J. ANGARA
Senator

FOURTEENTH CONGRESS OF THE
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S. B. No. 237

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Introduced by SENATOR EDGARDO J. ANGARA

**AN ACT PROVIDING FOR A SCHOOL NUTRITION PROGRAM AND
FOR OTHER PURPOSES**

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the “**Child**
2 **Nutrition Act of the Philippines.**”

3
4 **SECTION 2. *Purpose.*** In recognition of the demonstrated
5 relationship between food and good nutrition and the *capacity of children to*
6 develop and learn, school feeding and other child nutrition programs shall be
7 extended, expanded, and strengthened under the *authority of the Secretary*
8 of Agriculture as a measure to safeguard the health and well-being of the
9 nation’s children, and to encourage the *domestic consumption of agricultural*
10 and other foods in order to meet more effectively the nutritional needs of our
11 children.

12
13 **SECTION 3. *School Feeding Program.*** A school nutrition program
14 (the “Program”) is hereby established, where the National Nutrition Council
15 (“NNC”), the *Department of Education, (“DepED”)* and the Department of
16 Health (“DOH”) shall initiate, maintain and expand a system of distribution
17 of milk and *fortified snack foods to public elementary school entrants* for a
18 minimum of one hundred twenty (120) feeding days, five (5) times a week and
19 *vitamin supplements for a period and in such dosages as may be determined*
20 by the DOH. The Program shall be administered inside the classroom. The
21 *Program likewise aims to make school entrants aware of the importance of*
22 good nutrition by providing relevant and user-friendly nutrition information
23 and *education materials. Provided, that the Program shall begin within the*
24 first two weeks of the school year.

1 For purposes of this act, a school entrant is defined as a student
2 enrolled in the first grade.

3
4 **SECTION 4. *Objectives of the Program.*** The Program shall:

- 5 (1) Provide fresh milk to public elementary schools through the
6 cooperation of local cooperatives and dairy corporations;
- 7 (2) Provide vitamin supplements in such dosages and for such a
8 duration as the DOH may determine most beneficial to the child's
9 health and nutritional well-being;
- 10 (3) Target all public school entrants regardless of their nutritional
11 status;
- 12 (4) Each school entrant will receive milk and fortified snacks, based on
13 a menu determined by the NNC in conjunction with the
14 Department of Science and Technology to consist of a combination
15 of foods meeting the minimum nutritional requirements on the
16 basis of tested nutritional research, except that the minimum
17 nutritional requirements shall be measured by not less than the
18 weekly average of the nutrient content of the meals;
- 19 (5) Beneficiaries shall eat their snack inside the classroom during
20 recess time and shall not be allowed to bring home his ration;
21 Provided, that if a school child was absent, the school feeding
22 coordinator in the school shall insure that his share for that day
23 shall be added to his share the next feeding day when he reports
24 back to class; Provided, further, that only twice the usual serving
25 portion shall be allowed to an absentee school child; Provided,
26 finally, that in case of prolonged absence, both the milk and/or
27 snack food shall be given on a staggered basis, doubling his share
28 every feeding day until the school child catches up with the others;
- 29 (6) Beneficiaries shall take their vitamin supplements inside the
30 classroom simultaneously with the fortified snack.

31
32 **SECTION 5. *Incentives to Private Companies.*** Local dairy
33 cooperatives, private agricultural companies and other companies donating
34 food, milk, juices, vitamin supplements or other similar products (the
35 "**Product**"), are' hereby allowed to deduct from its gross income earned two
36 hundred percent (200%) of the value of the Product, provided that:

1 (1) the donation is duly approved by the Secretary of Education upon
2 recommendation of the Director of the NNC, in case of food
3 products, and the Secretary of Health, in case of vitamin products;
4 and

5 (2) the deduction shall not exceed twenty percent (20%) of gross income
6 earned.

7
8 **SECTION 6. *Social Mobilization and Preparation.*** Orientation-
9 training shall be held among DepED health and nutrition unit personnel at
10 the regional and division levels, in order to orient them on the Program's
11 objectives and mechanics and generate support to the Program.

12 An orientation-workshop shall be conducted at the district and school
13 levels for district and school level heads. The output shall be the school plan
14 of action containing the roles and responsibilities of the concerned school
15 personnel.

16 Training and orientation shall be conducted by the DepED core of
17 trainers, with personnel trained at the schools division level being
18 responsible for training staff at the district and municipal level; and those
19 trained at the municipal level training the implementers and feeding
20 coordinators at the school level.

21 The feeding coordinator shall conduct the briefing among parents and
22 children, including determining the baseline knowledge of the children and
23 their parents on nutrition through a pre-test and delineating the roles among
24 parents during the duration of the feeding.

25 Feeding paraphernalia consisting of placemats, napkin, spoon and
26 fork, small bowl, saucer, mugs and drinking glass should be brought by the
27 pupils.

28
29 **SECTION 7. *Simultaneous Examination.*** A simultaneous health
30 and dental examination and deworming of the participating children shall be
31 done during the meeting-orientation of parents. These shall be conducted by
32 the division/district medical staff and nurses or the Rural Health Unit in the
33 community. Pupils found with defects/ailments shall be given proper
34 treatment or referred to hospitals. Classroom advisers shall note
35 observations regarding the pupils' health condition. Height and weight of

1 pupils shall be taken before the Program and every month after the start
2 thereof.

3
4 **SECTION 8. *Procurement, Storage and Handling of Food Items***
5 ***and Vitamin Supplements.*** Procurement of the fortified snack foods shall
6 be done by DepED in coordination with the NNC, and in cases where rice or
7 sugar will be distributed, in coordination with the National Food Authority
8 (NFA), while that of fresh milk shall be procured by the National Dairy
9 Authority (NDA). Vitamin supplements shall be procured by the DOH.

10 All public elementary schools shall submit to DepED the number of
11 school entrants expected by April 15 of each year. The list shall be
12 consolidated by DepED and used as a basis for procuring fortified snack
13 foods. DepED shall insure the food commodities arrive on time to the schools
14 through the district schools, which shall be the designated pick-up point.
15 Public elementary schools shall pick up the commodities after the fifth day of
16 each month even without notice from the district school.

17 DepED shall furnish the DOH with the number of school entrants per
18 district by April 30 of each year. The list shall be used by the DOH as a basis
19 for procuring vitamin supplements. DOH shall insure delivery to the district
20 school of vitamin supplements needed for that district within the first five (5)
21 days of each month.

22 For the fresh milk, DepED shall furnish the NDA with the number of
23 children per school located in the twelve (12) key dairy development areas of
24 the country, with local dairy cooperatives delivering fresh milk daily to
25 schools to insure freshness and safety. The NDA shall make payment upon
26 the local dairy cooperative upon submission of a certification issued by the
27 public elementary school stating that fresh milk was received in good
28 condition. The fresh milk should be individually packed in sealed plastic,
29 provided with straw and properly packed in ice to avoid spoilage during
30 transport. Provided, that the local dairy cooperative shall be responsible to
31 insure the safety of the fresh milk before it reaches the school.

32
33 **SECTION 9. *Role of the Secretary of Agriculture.*** The Secretary of
34 Agriculture shall provide technical assistance and training, including
35 technical assistance and training in the preparation of foods high in complex
36 carbohydrates and lower-fat versions of foods commonly used in the Program,

1 to schools participating in the Program to assist the schools in complying
2 with the nutritional requirements prescribed by the NNC in coordination
3 with the DOST and in providing appropriate meals to children with medically
4 certified special dietary needs.

5
6 **SECTION 10. *Use in Program of food in abundance or donated.***

7 Each school participating under the Program shall, insofar as practicable,
8 utilize in its Program foods designated from time to time by the Secretary of
9 Agriculture as being in abundance, either nationally or in the school area, or
10 foods donated by private entities with the consent of the DepED and NNC.
11 Provided, that smuggled agricultural products which have been seized by the
12 proper authorities and which are certified by the DOH as fit for consumption
13 may be donated by the proper authorities for this Program.

14
15 **SECTION 11. *Local Government Participation.*** Local Government
16 Units where school districts are located shall provide a counterpart fund of at
17 least twenty percent (20%) of the cost incurred for Programs implemented
18 within their jurisdiction.

19
20 **SECTION 12. *Priority Areas.*** In case of shortage of funds, the
21 implementation of the Program shall first be undertaken in provinces where
22 malnutrition rates are most severe, as may be determined by the NNC.

23
24 **SECTION 13. *Rules and Regulations.*** The DepED, NNC and DOST
25 shall draw the implementing rules and regulations of this Act within thirty
26 (30) days from the effectivity of this Act.

27
28 **SECTION 14. *Appropriations.*** An initial sum of One Hundred
29 Million Pesos (P100,000,000.00) is hereby appropriated for the first year of
30 implementation of the Program. Thereafter, all appropriations shall be taken
31 from the annual appropriations of the NNC. Provided, that all administrative
32 expenses of the Program shall be taken from the DepED annual
33 appropriations.

1 **SECTION 15. *Effectivity.*** This law shall take effect within fifteen
2 (15) days from publication in a newspaper of general circulation.

3

4 *Approved,*