


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

8 JAN 29 1974

SENATE
S. No. 2031

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

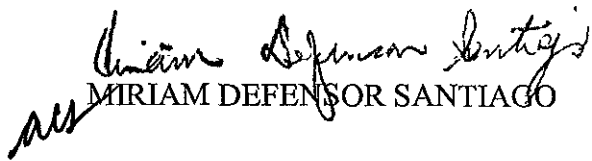
The Constitution, Article 2, Section 15 provides:

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

The public is increasingly exhibiting interest in reliable information concerning nutrition and the relationship of nutrition to human health, and are making personal nutrition choices based on such information. Unfortunately, they often receive conflicting and confusing messages about nutrition and the relationship of nutrition to health.

The country's information base concerning nutrition and health is fragmentary, often difficult to identify and includes significant gaps in knowledge concerning the relationship between nutrition and the occurrence of certain diseases and adverse conditions.


Hence, this bill seeks to establish within the Department of Health a permanent council on nutrition and health, whose main task will be to identify and disseminate sound information on the relationship between nutrition and health and the gaps in knowledge that require research and attention.


MIRIAM DEFENSOR SANTIAGO

FOURTEENTH CONGRESS OF THE REPUBLIC)
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1 AN ACT
2 TO ESTABLISH WITHIN THE DEPARTMENT OF HEALTH A PERMANENT
3 COUNCIL ON NUTRITION AND HEALTH

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

6 SECTION 1. *Short Title.* – This Act shall be known as the “Nutrition and Health
7 Act of 2008.”

8 SECTION 2. *Purpose.* – The purpose of this Act is to establish within the
9 Department of Health a Council on Nutrition and Health that will assemble the existing
10 information on the relationship between nutrition and human health, monitor the progress
11 of ongoing research, identify the aspects of the relationship between nutrition and health
12 that require additional research, maintain the base of information in an understandable
13 and retrievable fashion, and serve as a clearinghouse for information on the relationship
14 between nutrition and human health.

15 SECTION 3. *Definitions.* – As used in this Act –

16 (A) The term “Council” means the Council on Nutrition and Health, as
17 established in Section 4(1).

18 (B) The term “Secretary” means the Secretary of the Department of Health.

19 SECTION 4. *Establishment and Staffing of the Council on Nutrition.* –

20 (A) ESTABLISHMENT— There is established within the Department of Health
21 the Council on Nutrition and Health.

22 (B) MEMBERSHIP –

1 (1) APPOINTMENT – The Council shall consist of nine (9) voting
2 members, all of whom shall be appointed by the President.

3 (2) ELIGIBILITY FOR MEMBERSHIP – The members of the Council
4 shall be chosen from among individuals who are knowledgeable in the fields of
5 health, human nutrition, food production and distribution, and agriculture. Such
6 members shall be selected on the basis of an established record of distinguished
7 service in the areas of expertise of such individuals.

8 (3) EX OFFICIO MEMBERS – The Secretary and the Secretary of
9 Agriculture shall be ex officio members of the Council.

10 (C) TERM OF OFFICE—

11 (1) IN GENERAL— Each member of the Council shall be appointed for a
12 term of three (3) years, except that members appointed to the initial Council shall
13 serve, proportionately, for terms of one (1), two (2), or three (3) years, as
14 determined by the Secretary at the time of appointment.

15 (2) VACANCY— A member of the Council who is appointed to fill a
16 vacancy in the Council occurring prior to the expiration of the term for which the
17 predecessor of such member was appointed, shall be appointed by the same
18 individual who appointed such predecessor pursuant to subsection (2)(a) for the
19 remainder of such term.

20 (3) EXPIRATION OF TERM— A member of the Council may serve after
21 the expiration of the term of office of such member until the successor for such
22 member has taken office.

23 (4) ELIGIBILITY FOR SUCCESSIVE TERMS— A member of the
24 Council shall be eligible to serve successive terms of office.

25 (D) LEADERSHIP OF COUNCIL –

26 (1) SELECTION – A Chairperson and a Vice Chairperson of the Council
27 shall be selected by the President from among the members of the Council.

28 (2) TERM OF OFFICE— The Chairperson and Vice Chairperson of the
29 Council, as referred to in paragraph (a), shall serve for terms of three (3) years.

1 (E) MEETINGS OF COUNCIL –

2 (1) FREQUENCY OF MEETINGS – The Chairperson of the Council, as
3 referred to in subsection (4), shall convene a meeting of the Council not less than
4 once during each three-month period.

5 (2) QUORUM— At a properly convened meeting of the council, the
6 presence of five (5) Council members shall constitute a quorum.

7 (F) COMPENSATION— A member of the Council shall be paid or reimbursed
8 for travel to and from the place of service of such member and for other expenses
9 associated with the responsibilities as a member of the Council.

10 (G) STAFF— the staff of the Council shall be permanent employees of the
11 Department of Health of such rank, grade, and function as considered to be appropriate
12 by the Secretary.

13 SECTION 5. *Responsibilities of the Council.* –

14 (A) IN GENERAL— The Council shall—

15 (1) assemble the existing information on the relationship between nutrition
16 and health;

17 (2) identify and collect the ongoing research within the various national
18 and local governmental agencies, the private sector in the country, and in foreign
19 countries;

20 (3) identify the aspects of the relationship between nutrition and health
21 that require additional research;

22 (4) monitor ongoing research into the role of nutrition in health,
23 including—

24 (a) methods by which the nutritional value of domestically
25 produced food products may be improved;

26 (b) the relationship between consumption of specific foods and
27 nutrients and the incidence and treatment of specific diseases and
28 conditions; and

1 (c) the optimal level of foods and nutrients that are appropriate
2 under various health conditions to maximize specific human capabilities;

3 (5) monitor the progress of nutrition' education efforts among the health
4 profession, other segments of the society, and the general public; and maintain an
5 understandable and retrievable database of existing scientific information on the
6 relationship of nutrition and health and serve as a clearinghouse for such
7 information.

8 (B) RULES AND REGULATIONS – The Council is authorized to adopt such
9 rules and regulations as may be necessary to carry out this Act.

10 SECTION 6. *Responsibility of Other Agencies to Cooperate with the Council.* –

11 Each agency and private entity that is performing nutrition research that is completely or
12 partially funded by appropriated funds shall cooperate with the Council by informing the
13 Council of the research of such agency or entity, and by filing a copy of the final report
14 of the product of such research with the Council.

15 SECTION 7. *Treatment of Information on File.* – Submission of information or

16 data on the relationship between nutrition and health to the Council shall not affect
17 statutory law trademark status, copyright or patent rights.

18 SECTION 8. *Reports.* –

19 (A) IN GENERAL – Not later than December 31 of each year, the Council shall
20 submit a report to the Secretary on the progress of its work and any areas of suggested
21 research into the relationship between nutrition and Health.

22 (B) DISTRIBUTION— Following the receipt by the Secretary of the annual
23 report of the Council under subsection (1), the Secretary shall immediately distribute such
24 report, along with recommendations of the Secretary regarding such report, to the
25 President, the Secretary regarding such report, to the President, the Secretary of
26 Agriculture, and the appropriate authorizing and appropriating committees of the

1 Congress as well as to such agencies and departments as the Secretary considers
2 appropriate.

3 SECTION 9. *Authorization of Appropriations.* – There are authorized to be
4 appropriated such sums as may be necessary to carry out this Act.

5 SECTION 10. *Separability Clause.* – If any provision or part hereof, is held
6 invalid or unconstitutional, the remainder of the Act or the provision not otherwise
7 affected shall remain valid and subsisting.

8 SECTION 11. *Repealing Clause.* – Any law, presidential decree or issuance,
9 executive order, letter of instruction, administrative order, rule or regulation contrary to,
10 or inconsistent with the provisions of this Act is hereby repealed, modified or amended
11 accordingly,

12 SECTION 12. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
13 after its publication in at least two (2) newspapers of general circulation.

Approved,