

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

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10 JUL 13 2003

SENATE

S.B. No. 1391

RECEIVED

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Introduced by Senator Loren Legarda

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#### EXPLANATORY NOTE

This bill seeks to institutionalize a Milk Feeding Program for Filipino children by providing budgetary appropriations to ensure its sustainable implementation.

Results of the *2001 Updating of Nutritional Status of Filipino Children* conducted by the Department of Science and Technology's Food and Nutrition Research Institute revealed that 32.9% of school-children ages 6-10 years are underweight while 41.1% are short for their age.

These nutritionally disadvantaged children are more than the entire 8 million population of Central Luzon, or Somalia, which is 8.78 million, or Sweden, which is 8.84 million or more than twice the size of New Zealand, which is 3.78 million in year 2000. Children belonging to this group are vulnerable to infection and disease with usually serious implications. There is a need for the State's intervention to solve the problem of malnutrition. One feasible way is through milk-feeding programs.

By milk-feeding, this bill proposes the distribution of locally produced fresh milk for direct intake of children ages 5-10 years of age nationwide, to be taken from produce of local milk suppliers and sponsors from the government and private sector.

To ensure sustainability of the efforts, there is hereby established a Milk Feeding Fund to support this worthy cause.

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

**LOREN LEGARDA**  
Senator

SENATE

S.B. No. 1391

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AN ACT  
PROTECTING THE FILIPINO CHILDREN FROM MALNUTRITION,  
INSTITUTIONALIZING FOR THIS PURPOSE "THE MILK FEEDING  
PROGRAM", APPROPRIATING FUNDS THEREFORE AND FOR OTHER  
PURPOSE

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

1           **Section 1. Title.** This Act shall be known as the "Milk Feeding Act of 2010."  
2

3           **Section 2. Declarations of Policy.** The State shall ensure the health welfare of  
4 the vulnerable children population and shall institute effective mechanism to carry  
5 out this policy. Towards this end, the State shall ensure the supply of regular food  
6 supplements for children in order to create a future generation of physically and  
7 mentally alert youth.  
8

9           **Section 3. Milk Feeding Defined.** Milk feeding, as used in this Act, shall cover  
10 distribution of locally produced fresh milk from cows, carabaos and goats as well as  
11 formula milk in powdered form for direct intake of children ages 5-10 years old  
12 nationwide. The fresh milk shall come from the produce of the local milk suppliers  
13 and milk feeding sponsors, private or government. No milk intended for milk  
14 feeding shall be used for commercial sale.  
15

16           **Section 4. Priority Coverage.** Priority shall given to children who are located  
17 in barangay day care centers, pre-schools and schools where malnutrition is high.  
18 Second priorities are those nursing mothers, pregnant and elder persons who also  
19 reside in rural communities.  
20

1           **Section 5. *The Milk Feeding Fund.*** There is hereby allocated an initial amount  
2 of Five Hundred Million Pesos (P500,000,000.00) out of the total tax collection of the  
3 National Government for the current year from the importation of milk and dairy  
4 product as well as dairy equipment and implements in order to enhance and  
5 augment the existing funds for the National Milk Feeding Program of the National  
6 Dairy Authority. Said allocation shall constitute the seed money for the Milk Fund.

7  
8           Annually, thereafter, the Milk Feeding Fund shall be augmented by seventy-  
9 five percent (75%) of the annual tax collection of the National Government from the  
10 importation of milk and dairy products as well as dairy equipment and implement;  
11 seventy percent (70%) of which shall be used for the National Milk Feeding Program  
12 and the balance of thirty percent (30%) shall be used for other dairy and dairy-  
13 related activities.

14  
15           **Section 6. *Funding Alternatives.*** In the event that the milk import tariff fund  
16 allocation is not available due to previous utilization commitment, alternative  
17 sourcing shall be automatically effected equivalent to either:

- 18           • At least ten percent (10%) of the generated funds resulting from the grant  
19           of RP Food Aid Fun Overseas Development Assistance Fund and other  
20           confirmed fund assistance to the Philippine Government, or  
21           • At least one-half (½) of one percent (1%) of the Annual Approved General  
22           Appropriation Budget of the Government

23  
24           **Section 7. *Facilitation of Funding.*** The Department of Finance (DOF) and the  
25 Department of Budget and Management (DBM) are hereby directed to set aside the  
26 above amount from the taxes collected on the importation of milk and dairy  
27 products as well as dairy equipment and implements and/or to secure the  
28 stipulated ten percent (10%) automatic allocation against all confirmed fund  
29 assistance sources cited in Section 6 hereof, or to allocate the one-half (½) of one  
30 percent (1%) of the Annual Approved General Appropriation budget of the  
31 Government, whichever fund is available.

32  
33           **Section 8. *Implementing Authority.*** The National Dairy Authority, consistent  
34 with its mandate under Republic Act No. 7884, is hereby authorized the utilization  
35 of the aforesaid fund for the Nation Milk Feeding Program and other dairy and  
36 dairy-related development activities. The NDA shall tap *bona fide* and reputable

1 women's organization as milk feeding partner as well as other government agencies  
2 and non-government organizations (NGOs) with social reform, pro-poor and pro-  
3 child agenda.

4  
5 **Section 9. *Milk Feeding Incentives.*** Any private entity or benefactor, local or  
6 foreign who supports the Milk Feeding Program in whatever form, shall be given  
7 due tax credit equipment to 100% of the value of their contribution to the program.

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9 **Section 10. *Repealing Clause.*** All acts, executive orders, administrative  
10 orders, proclamation, rules and regulation or parts thereof inconsistent with any of  
11 provision of this Act are hereby amended, repealed or modified accordingly.

12  
13 **Section 11. *Separability Clause.*** If any part, section or provision of this Act is  
14 declared invalid or unconstitutional, other parts or provisions hereof not affected  
15 thereby shall remain in full force and effect.

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17 **Section 12. *Effectivity.*** This act shall take effect fifteen (15) days after its  
18 publication in at least two (2) newspapers of general circulation.

19  
20 Approved,