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SENATE  
OFFICE OF THE SECRETARY

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SENATE

Senate Bill No. 2038

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Introduced by SENATOR EDGARDO J. ANGARA

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#### 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

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

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

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

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

10  
11           **SEC. 3. *School Feeding Program.*** A school nutrition program (the "Program") is  
12 hereby established, where the National Nutrition Council ("NNC"), the Department of  
13 Education, ("DepED") and the Department of Health ("DOH) shall initiate, maintain and  
14 expand a system of distribution of milk and fortified snack foods to public elementary  
15 school entrants for a minimum of one hundred twenty (120) feeding days, five (5) times a  
16 week and vitamin supplements for a period and in such dosages as may be determined by  
17 the DOH. The Program shall be administered inside the classroom. The Program likewise  
18 aims *to* make school entrants aware of the importance of good nutrition by providing  
19 relevant and user-friendly nutrition information and education materials. Provided, that  
20 the Program shall begin within the first two weeks of the school year.

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

23  
24           **SEC. 4. *Objectives of the Program.*** The Program shall:

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

24  
25 **SEC. 5. Incentives to Private Companies.** Local dairy cooperatives, private  
26 agricultural companies and other companies donating food, milk, juices, vitamin  
27 supplements or other similar products (the "**Product**"), are hereby allowed to deduct  
28 from its gross income earned two hundred percent (200%) of the value of the Product,  
29 provided that:

- 30 (1) the donation is duly approved by the Secretary of Education upon  
31 recommendation of the Director of the NNC, in case of food products, and  
32 the Secretary of Health, in case of vitamin products; and
- 33 (2) the deduction shall not exceed twenty percent (20%) of gross income earned.

34  
35 **SEC. 6. Social Mobilization and Preparation.** Orientation-training shall be held  
36 among DepED health and nutrition unit personnel at the regional and division levels, in  
37 order to orient them on the Program's objectives and mechanics and generate support to  
38 the Program.

1 An orientation-workshop shall be conducted at the district and school levels for  
2 district and school level heads. The output shall be the school plan of action containing  
3 the roles and responsibilities of the concerned school personnel.

4 Training and orientation shall be conducted by the DepED core of trainers, with  
5 personnel trained at the schools division level being responsible for training staff at the  
6 district and municipal level; and those trained at the municipal level training the  
7 implementers and feeding coordinators at the school level.

8 The feeding coordinator shall conduct the briefing among parents and children,  
9 including determining the baseline knowledge of the children and their parents on  
10 nutrition through a pre-test and delineating the roles among parents during the duration of  
11 the feeding.

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

14  
15 **SEC. 7. *Simultaneous Examination.*** A simultaneous health and dental  
16 examination and deworming of the participating children shall be done during the  
17 meeting-orientation of parents. These shall be conducted by the division/district medical  
18 staff and nurses or the Rural Health Unit in the community. Pupils found with  
19 defect/ailments shall be given proper treatment or referred to hospitals. Classroom  
20 advisers shall note observations regarding the pupils' health condition. Height and weight  
21 of pupils shall be taken before the Program and every month after the start thereof.

22  
23 **SEC. 8. *Procurement, Storage and Handling of Food Items and Vitamin***  
24 ***Supplements.*** Procurement of the fortified snack foods shall be done by DepED in  
25 coordination with the NNC, and in cases where rice or sugar will be distributed, in  
26 coordination with the National Food Authority (NFA), while that of fresh milk shall be  
27 procured by the National Dairy Authority (NDA). Vitamin supplements shall be procured  
28 by the DOH.

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

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

1 For the fresh milk, DepED shall furnish the NDA with the number of children per  
2 school located in the twelve (12) key dairy development areas of the country, with local  
3 dairy cooperatives delivering fresh milk daily to schools to insure freshness and safety.  
4 The NDA shall make payment upon the local dairy cooperative upon submission of a  
5 certification issued by the public elementary school stating that fresh milk was received  
6 in good condition. The fresh milk should be individually packed in sealed plastic,  
7 provided with straw and properly packed in ice to avoid spoilage during transport,  
8 Provided, that the local dairy cooperative shall be responsible to insure the safety of the  
9 fresh milk before it reaches the school.

10  
11 **SEC. 9. *Role of the Secretary of Agriculture.*** The Secretary of Agriculture shall  
12 provide technical assistance and training, including technical assistance and training in  
13 the preparation of foods high in complex carbohydrates and lower-fat versions of foods  
14 commonly used in the Program, to schools participating in the Program to assist the  
15 schools in complying with the nutritional requirements prescribed by the NNC in  
16 coordination with the DOST and in providing appropriate meals to children with  
17 medically certified special dietary needs.

18  
19 **SEC. 10. *Use in Program of food in abundance or donated.*** Each school  
20 participating under the Program shall, insofar as practicable, utilize in its Program foods  
21 designated from time to time by the Secretary of Agriculture as being in abundance,  
22 either nationally or in the school area, or foods donated by private entities with the  
23 consent of the DepED and NNC. Provided, that smuggled agricultural products which  
24 have been seized by the proper authorities and which are certified by the DOH as fit for  
25 consumption may be donated by the proper authorities for this Program.

26  
27 **SEC. 11. *Local Government Participation.*** Local Government Units where  
28 school districts are located shall provide a counterpart fund of at least twenty percent  
29 (20%) of the cost incurred for Programs implemented within their jurisdiction.

30  
31 **SEC. 12. *Priority Areas.*** In case of shortage of funds, the implementation of the  
32 Program shall first be undertaken in provinces where malnutrition rates are most severe,  
33 as may be determined by the NNC.

34  
35 **SEC. 13. *Rules and Regulations.*** The DepED, NNC and DOST shall draw the  
36 implementing rules and regulations of this Act within thirty (30) days from the effectivity  
37 of this Act.

1           **SEC. 14. Appropriations.** An initial sum of One Hundred Million Pesos  
2 (P100,000,000.00) is hereby appropriated for the first year of implementation of the  
3 Program. Thereafter, all appropriations shall be taken from the annual appropriations of  
4 the NNC. Provided, that all administrative expenses of the Program shall be taken from  
5 the DepED annual appropriations.

6  
7           **SEC. 15. Effectivity.** This law shall take effect within fifteen (15) days from  
8 publication in a newspaper of general circulation.

9  
10           *Approved,*