

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3662



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

Section 15, Article II of the 1987 Constitution provides that “[i]t is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them.”

According to the Asia Roundtable on Food Innovation for Improved Nutrition’s (AROFIIN) study published in 2017, the World Health Organization (WHO) found that 23.6% of Filipino adults above age 18 are overweight, with greater prevalence in women (26.3%) than in men (21%). It was likewise reported that Filipinos living in urban areas consume fewer fruits and vegetables, and eat more energy-dense foods and foods that are high in saturated fats.

It was also found that obesity has an effect in the economy since the condition would entail direct costs (cost of healthcare) albeit relatively low, and indirect costs (productivity losses from absenteeism and losses from early deaths).

Several solutions have been offered including population-level policies, but the study also suggests that obesity may be addressed through psychology and behavioral change. They found that obesity, while commonly a result of genetic factors, is more commonly caused by the consumption of unhealthy foods and doing little to no physical activities. It is said that these behaviors probably stemmed from lack of information among other factors.

A quick examination of the available food establishments show that there is no effective attempt at instilling health consciousness and encouraging healthy food options in the Philippines. Filipinos purchase meals from food service establishments without knowing its nutritional value. We are unaware of what we are putting in our bodies, and continuing this lack of information and consciousness might prove fatal to our drive towards a healthier and more productive population. Thus, to address the lack of information among

consumers, this bill seeks to mandate the inclusion of nutritional information in food service establishments' menus, display boards, and display tags in order to allow Filipinos to make informed choices on their food and beverage intake. It is hoped that through this legislation, health consciousness will slowly be instilled among us and will eventually lead not only to a decline in obesity but also other medical conditions brought about by an unhealthy lifestyle.



ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Partylist

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AN ACT MANDATING THE INCLUSION OF NUTRITIONAL INFORMATION OF MEALS SERVED BY FOOD RETAIL BUSINESSES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Nutritional Information Act of 2022.”

SECTION 2. *Declaration of Policy.* – It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. The State shall endeavor to give the people better nutritional and health information in order for them to make more informed choices on meals that they consume.

SECTION 3. *Definition of Terms.* – As used in this Act:

- a) “Food service establishment” means all establishments doing business of serving meals to its customers, including salad bars, buffet lines, cafeteria lines, and other self-service formats. It shall include company-owned establishments as well as franchised outlets of a parent company doing food service as its primary business, except *carinderias*, micro and small businesses, food carts and food stalls in markets, ambulant food or beverage cart vendors, and other similar businesses;
- b) “Menu” shall mean a printed list or a display of pictures of food items and prices, including those displayed outside or on windows of establishments and drive-thru lanes, being served by a food service establishment;

- c) “Menu item” pertains to each food item or meal, and beverage included in the menu and being served in the food service establishment
- d) “Nutritional information” shall include the total number of calories for each menu item.

SECTION 4. *Mandatory Inclusion of Nutritional Information on Menus* – All food service establishments shall include the nutritional information for each menu item in their respective menus, display boards and display tags.

For food service establishments with food bars, buffet line, cafeteria line, self-service beverages or food, and all other self-service formats, each dish shall have a label indicating the name of the dish, amount of recommended serving size for one (1) person, and the nutritional information for the said recommended service size.

For food service establishments which use display boards as menu such as fast food restaurants and similar establishments, the nutritional information shall likewise be included in their display boards.

For food service establishments offering a combination of meals or packages, and other similar promotional schemes, the nutritional information for each menu item included in the combination, package or promotional offer shall be indicated.

For food service establishments offering meals served in platters or in quantities meant to be shared, the menu shall include the number of individuals that may share per platter and the nutritional information per individual serving.

For food service establishments offering a drive-thru service, the display boards installed in their drive-thru lanes shall include the following statement: “NUTRITION INFORMATION AVAILABLE UPON REQUEST.”

SECTION 5. *Exemptions.* – Exempted from the provisions of Section 4 of this Act on the mandatory inclusion of nutritional information on menus are *carinderias*, backyard food stalls, ambulant food vendors, food kiosks, and other similar businesses. However, they are not precluded from including the nutritional information for their meals and food products should they voluntarily do so.

SECTION 6. *Sanctions for Non-compliance* – Any food service establishment found to have failed to comply with the inclusion of mandatory nutritional information in their menu, display boards, and display tags shall, after notice and hearing, be subject to the following sanctions:

- a) Written warning and a fine of one hundred thousand pesos (PhP 100,000) for the first offense;
- b) Suspension of business operations until compliance with the law and a fine of two hundred fifty thousand pesos (PhP 250,000) for the second offense, with an additional fifty thousand pesos (PhP 50,000) for every non-compliant branch for the second offense; and
- c) Cancellation of business permit without prejudice to re-application upon proof of full compliance and a fine of five hundred thousand pesos (PhP 500,000), with an additional fifty thousand pesos (PhP 50,000) for every non-compliant branch for the third offense.

SECTION 7. *Implementing Rules and Regulations* – The Department of Health, in coordination with the Department of Trade and Industry, and in consultation with other concerned agencies, non-governmental organizations, food service business organizations, private sector and consumer groups, shall promulgate the necessary implementing rules and regulations within six (6) months from effectivity of this Act.

SECTION 8. *Separability Clause*. – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 9. *Repealing Clause*. – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 10. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,