

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



NINETEENTH CONGRESS
First Regular Session

House Bill No. 5571

Introduced by CIBAC Party-List Representative
HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA

**AN ACT
REQUIRING THE DISPLAY OF CALORIE AND OTHER
NUTRITIONAL INFORMATION IN MENUS OF FOOD SERVICE
ESTABLISHMENTS AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

In the past decade, cardiovascular diseases have been one of the leading cause of mortality among Filipinos, which is largely attributed to an unhealthy lifestyle. In addition, an unhealthy lifestyle also contributes to an increase in body mass index, which in turn, increases the risk for non-communicable diseases. According to a 2017 report, there are approximately 18 million Filipinos who are obese and overweight. In 2016, the Philippines spent between US\$500 Million to US\$1 Billion for obesity-related problems, which are largely due to a huge spike in the incidence of related non-communicable diseases such as Type 2 diabetes, cancer, cardiovascular diseases and stroke.¹

Thus, there is a need to create policies that would encourage people to have a healthier lifestyle and a mechanism to inform them of the calorie content and nutritional information of the food they take. With the

¹ 2017, July 20. Obese Filipinos now ballooning. Retrieved from: <https://businessmirror.com.ph/2017/07/20/obese-filipinos-now-ballooning/> (date last accessed: July 7, 2019).

pressure of work and the family, Filipinos often resort to eat out, whose food items usually have more calories, sodium and saturated fat.

To address the problems of obesity and improper nutrition among Filipinos and to encourage them to have a healthier lifestyle, this bill requires the disclosure of calorie content in menus of food service establishments. Written nutritional information may also be provided to the customer upon request. This bill requires covered food establishments to prominently display this information so that customers will be able to make a more informed decision towards a proper and healthier lifestyle.

Hence, the immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'E. C. Villanueva', with a long horizontal flourish extending to the right.

HON. EDUARDO “BRO. EDDIE” C. VILLANUEVA

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

3
4 **SECTION 1. Short Title.** – This Act shall be known as the “Menu
5 Labeling Act.”

6
7 **SEC. 2. Definition of Terms.** – For purposes of this Act, the
8 following terms are hereby defined:

9
10 a) **Calorie content information** refers to the total number of calories
11 per standard menu item, as that item is usually prepared and offered
12 for sale;

13
14 b) **Covered food establishment** refers to any food establishments
15 that are part of a chain of fifteen (15) or more food service
16 establishments doing business under common ownership or control,
17 or as franchised outlets of a parent business, or that do business
18 under the same name or that voluntarily register with the Food and
19 Drug Administration (FDA) to be covered;

20

- 1 c) **Food** refers to a unit serving of ready-to-eat food or beverage for
2 sale in a restaurant or food service establishment;
3
- 4 d) **Food-on-display** refers to food offered for sale that is visible to a
5 customer before making selection, and needs no further preparation
6 before consumption;
7
- 8 e) **Menu** refers to a printed list or pictorial display of a food item or
9 items, and their price(s), that are available for sale from a covered
10 food service establishment and shall include menus distributed or
11 provided outside of the establishment, specialty menus, such as
12 drink and dessert menu, drive-thru and online menus;
13
- 14 f) **Menu Board** refers to any list or pictorial display of a food item or
15 items and their price(s) posted in and visible within a covered food
16 service establishment; and
17
- 18 g) **Standard Menu Item** refers to any individual food item or
19 combination of food items that is routinely listed on a menu or menu
20 board, or routinely offered for sale by a covered food service
21 establishment.
22

23 **SEC. 3. Disclosure of Calorie and Nutritional Information.** –

24 Covered food establishments shall disclose and display the calorie
25 content information of each standard menu item on their menus and menu
26 boards as usually prepared and sold to the public. The calorie content
27 information must be prominently and distinctly displayed adjacent to the
28 name or price of the menu item in a type size no smaller than that of the
29 name or price of the menu item, whichever is smaller.
30

31 Food establishments offering self-service food and food-on-display
32 shall post the nutrient content information of such food on a sign adjacent
33 to such.
34

35 In addition, menu and menu boards of all covered establishments
36 must prominently display the following: “Additional nutritional information
37 available upon request.” Such statement must appear prominently on the
38 bottom of the menu board and may also be placed on signs, posters, tray
39 liners, counter cards, handouts, binders, kiosks, or computer, as
40 appropriate.
41

1 Upon request, the nutritional information that may be provided to
2 customers shall indicate the amount of each nutrient, including, but not
3 limited to, the following:

- 4 a) Total fat;
- 5 b) Saturated fat;
- 6 c) Cholesterol;
- 7 d) Sodium;
- 8 e) Total carbohydrates;
- 9 f) Complex carbohydrates;
- 10 g) Sugars;
- 11 h) Dietary fiber; and
- 12 i) Total protein

13
14 Notwithstanding anything to the contrary, the mandatory disclosure
15 and display of calorie and nutrition information as required under this
16 Section shall not apply to custom orders prepared in a specific manner
17 based on customer's request, temporary menu item which appears in the
18 establishment's menu board for less than thirty (30) days per year, general
19 use condiments, and foods that are part of a customary market test.

20
21 **SEC. 4. Calorie Content Information.** – The calorie content
22 information of each standard menu item shall be expressed to the nearest
23 five (5)-calorie increment up to and including fifty (50) calories, to the
24 nearest ten (10)-calorie increment above fifty (50) calories. For foods that
25 have fewer than five (5) calories, the declaration may be expressed as
26 zero (0).

27
28 **SEC. 5. Transitory Period and Disclosure Compliance**
29 **Certificate.** – Covered establishments shall have a period of one (1) year
30 from the approval of this Act to comply with the requirements provided
31 under this Act. Thereafter, all covered establishments shall obtain a
32 Nutritional Disclosure Compliance Certificate (NDCC) from the
33 Department of Health (DOH). The NDCC shall be valid for two (2) years
34 from the date of issuance and may be renewed at least thirty (30) days
35 before its expiration. The DOH may refuse to renew the NDCC of a
36 covered establishment in the event of violation of, or non-compliance with,
37 any provisions of this Act.

38
39 Failure of any restaurant or fast-food chain establishment covered
40 under this Act to secure a NDCC shall be a ground for the suspension or
41 revocation of its license to operate.

1 For this purpose, the DOH, in coordination with the Department of
2 Trade and Industry (DTI), shall actively conduct information dissemination
3 campaigns to assist covered establishments in complying with the NDCC
4 requirement.

5
6 **SEC. 6. Penalties.** – DOH, after notice and hearing, shall impose a
7 fine of not less than Twenty Thousand Pesos (P20,000.00) but not more
8 than Two Hundred Fifty Thousand Pesos (P250,000.00) upon any
9 covered establishment that fail to comply with the requirements under this
10 Act, or that is found to have knowingly declared false or inaccurate
11 nutrition information regarding the amount of calories or nutrients
12 contained in each standard menu item.

13
14 **SEC. 7. Implementing Rules and Regulations.** – Within sixty (60)
15 days from the effectivity of this Act, the DOH, FDA, and DTI, in
16 consultation with other government agencies and relevant stakeholders,
17 shall issue the rules and regulations for the effective implementation of
18 this Act.

19
20 **SEC. 8. Separability Clause.** – If any provision of this Act or any
21 part thereof shall be declared unconstitutional or invalid, the other
22 provisions, as far as they are separable, shall remain in force and effect.

23
24 **SEC. 9. Repealing Clause.** – All laws, decrees, orders, rules and
25 regulations or parts thereof which are inconsistent with the provisions of
26 this Act are hereby repealed, amended or modified accordingly.

27
28 **SEC. 10. Effectivity.** – This Act shall take effect fifteen (15) days
29 after its publication in the Official Gazette or in at least two (2) newspapers
30 of general circulation.

31
32 **Approved,**