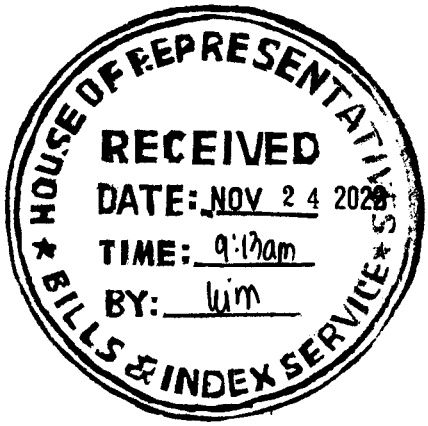

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6341

Introduced by Representative CIRIACO B. GATO, JR. MD. FPSO-HNS

EXPLANATORY NOTE

Cardiovascular diseases (CVDs), particularly coronary heart disease (CHD), account for nearly half of the world's noncommunicable diseases (NCDs) related deaths. This increased risk of CHD has been consistently associated with high intake of trans-fatty acids (TFA). TFA intake increases the risk of death from any cause by 34% and from coronary heart disease (CHD) by 28%[1]. It has also been associated with an increased risk for other NCDs and related conditions such as ovarian cancer[2], infertility, endometriosis, Alzheimer's disease, diabetes and obesity.[3]

As CHD remains to be one of the leading causes of death in the Philippines, with 29,442 cases or 18.7% of the total deaths,[4] there should be an intensified campaign to conduct comprehensive studies on TFA and generate public awareness and support towards the institutionalization of TFA elimination measures.

According to the WHO, TFA elimination is one of the simplest and most straightforward public health interventions to reduce the risk of CVDs and improve nutritional quality of diets. Countries that regulated TFA have seen a significant decline in CHD deaths. Denmark's

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[1] De Souza R, Mente A, Maroleanu A, Cozma AI, Ha V, Kishibe T, et al. Intake of saturated and trans unsaturated fatty acids and risk of all-cause mortality, cardiovascular disease, and type 2 diabetes: systematic review and meta-analysis of observational studies. BMJ. (2015) 351:h3978. doi: 10.1136/bmj.h3978/ Trans Fat Free by 2023—A Building Block of the COVID-19 Response, https://www.frontiersin.org/articles/10.3389/fnut.2021.645750/full#B26,https://doi.org/10.3389/fnut.2021.645750

[2] Yammine S, Huybrechts I, Biessy C, Dossus L, Aglago EK, Naudin S, et al. Dietary and circulating fatty acids and ovarian cancer risk in the European Prospective Investigation into Cancer and Nutrition. Cancer Epidemiol Biomarkers Prev. (2020) 29:1739–49. doi: 10.1158/1055-9965.EPI-19-1477

[3] Micha R, Mozzaffarian D. Trans fatty acids: effects on cardiometabolic health and implications for policy. Prostag Leukotr Ess. (2008) 79:147–52. doi: 10.1016/j.plefa.2008.09.008

[4] 1 Philippine Statistics Authority, Causes of Death in the Philippines (Preliminary: January to December 2021), https://psa.gov.ph/content/causes-deaths-DhiliDDines-preliminarv-ianuarvdecember-2021

regulation limiting TFA content to 2g per lOOg of fat in food products contributed to a 75% reduction in CHD-related deaths. In Argentina, an estimated 301 to 1,517 cardiac deaths every year were averted by eliminating industrially produced TFA, saving the government as much as USD 87 million in healthcare costs annually. As more countries regulate TFA, countries without regulations become vulnerable to dumping of TFA-rich imported food. To protect people from diet-related NCDs, food compositions, marketing restrictions, nutrition labelling and taxation policies should be carefully formulated to produce rigorous standards.[5]

The urgent need for government action and policy measures to eliminate TFA and protect cardiovascular health has never been more apparent than during the COVID-19 pandemic where patients with comorbidities, such as CHD, have a higher risk of serious illness or death. Now more than ever, the need for preventative health care and healthy lifestyle promotion must be realized in line with the vision of universal health care.

In the bid towards making Filipinos and our healthcare system more resilient to future public health emergencies, it is imperative to respond to the global call to eliminate TFA by 2023 through the passage of this bill.

To meet the challenges of improving the quality of health care of our citizenry and the imperatives of global health developments, the passage of this bill is urgently sought.

CIRIACO B. GATO, JR. MD. FPSO- HNS

[5] World Health Organization. (2021). Countdown to 2023: WHO report on global trans fat elimination 2021.

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HOUSE BILL NO. 6341

Introduced by Representative CIRIACO B. GATO, JR. MD. FPSO-HNS

AN ACT
TO PROTECT FILIPINOS FROM THE HARMFUL EFFECTS OF INDUSTRIAL TRANS-FATTY ACIDS, AND FOR OTHER PURPOSES

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. Short Title. - This Act shall be known as the "iTrans-Fat Free Philippines Act."

SEC. 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 also mandates the adoption of an integrated and comprehensive approach to health development.

To this end, the State shall devote significant material and institutional resources to protect public health by ensuring that the Philippine health system is well-prepared to forecast, prevent, monitor, and control diseases, injuries, and disabilities of national and international concern.

The State shall prioritize right to health promotion and preventive care intervention to protect Filipinos from the threat of death and diseases linked to unsafe food such as trans-fatty acids (TFA) consumption by progressively removing industrially produced TFAs from the food supply to achieve improved nutrition quality and outcomes.

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

(a) Certificate of Product Registration (CPR) refers to an authorization issued by the Food and Drug Authority (FDA) for specific health products including food, after evaluation and approval of submitted registration requirements;

(b) Coconut oil refers to one of the healthy oil alternatives despite being classified as primarily a medium-chain fatty acid (MCFA) and a saturated fat whose 64% content of saturated fatty acid (SFA) makes it uniquely beneficial as a stable oil that is non-fattening and has anti-oxidant, anti-microbial and anti-toxic properties;

(c) Distributor refers to any person to whom a consumer product is delivered or sold for purposes of distribution in commerce, excluding the manufacturer or retailer of such product. Distributors may be importers, exporters, traders and wholesalers;

(d) Food refers to any substance or product, whether processed, partially processed or unprocessed that is intended for human consumption. It includes drinks, chewing gum, water and other substances that were used as an ingredient or a component in the manufacture, preparation or treatment of food, such as oils and fats, whether sold alone or incorporated in processed food and/or prepackaged food;

(e) Food service establishment refers to any establishment that prepares, serves, markets, sells, or offers for sale, food or drink to be consumed within the establishment or taken-out;

(f) Healthy alternative oils, fats, and oilseeds refer to oils, and fats rich in saturated, monounsaturated, and medium chain fatty acids, which are stable to heat, do not create a significant amount of free radicals during heating, and contain the least toxins and unnecessary toxic chemicals such as trans-fat;

(g) Importer refers to the consignee or the Philippine agent or representative of a foreign owner or consignee of raw materials, ingredients and/or finished products at the time of entry of such article into the Philippines;

(h) Industrially-produced trans fatty acid (TFA) refers to trans-fat other than TFA naturally occurring in fat of animal origin and produced by hydrogenation or formed through high heat;

(i) License to Operate (LTO) refers to a license granted by the FDA to establishments involved in the manufacturing, packaging, re-packaging, importation, exportation, distribution, and retailing of processed foods, drugs, medical devices, in vitro diagnostic reagents, cosmetics, and household hazardous substance products;

(j) Manufacturer refers to an establishment engaged in any and all operations involved in the production of health products, including preparation, processing, compounding, formulating, filling, packaging, repacking, altering, ornamenting, finishing and labelling with the end view of its storage, sale or distribution. In case of imported food products, the manufacturer's representative or, in his absence, the importer, shall be deemed the manufacturer;

(k) Micro, small and medium enterprise (MSME) refers to any business activity or enterprise engaged in industry, agribusiness and/or services, whether single proprietorship, cooperative, partnership or corporation whose total assets, inclusive of those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment are situated, and must have value falling under the following categories: (i) Micro: not more than P3,000,000; (ii) Small: P3,000,001-P15,000,000; and (iii) Medium: PI 5,000,001 — P 100,000,000.

The above definitions shall be subject to review and adjustments by the Micro, Small and Medium Enterprises Development (MSMED) Council under Section 6 of RA 9501 or the Magna Carta for Micro, Small and Medium Enterprises, or upon recommendation of sectoral organizations concerned, taking into account inflation and other economic indicators;

(l) Partially hydrogenated oil (PHO) refers to fat or oil that has been hydrogenated, but not to complete or near complete saturation, and preferably determined and analyzed by gas chromatography method;

(m) Prepackaged food refers to processed food prepared in advance and placed in a container, labelled and ready for sale or distribution, or for catering purposes;

(n) Processed food refers to the product obtained from the processing stage of the food supply chain. The processing stage of the food supply chain refers to any action that substantially alters the initial raw materials or product or ingredients including, but not limited to, heating, smoking, curing, maturing, drying, marinating, extraction, extrusion and a combination of those processes intended to produce food;

(o) Retailer refers to any establishment that sells or offers to sell any food product directly to the general public;

(p) Trans fatty acid (TFA)— all fatty acids with a double bond in the trans configuration, regardless of whether they are produced industrially or come from ruminant sources. Naturally occurring trans fats, like those coming from ruminant sources (e.g., cow, goat, carabao, lamb, deer, etc.) are perfectly safe and healthy for humans. Industrially produced trans fats, both coming from hydrogenation and those formed through high heat, are the ones which are toxic and should be removed from the food supply;

(q) Ruminant TFA refers to TFAs formed by bacteria in the stomach of cattle, sheep, and goats. These trans fats typically comprise 2-6% of the fat in the dairy products and 3-9% of the fat in cuts of beef and lamb

(r) Saturated fatty acid (SFA) refers to fatty acids that contains the maximum number of hydrogens possible, and no carbon-carbon double bonds. Saturated fatty acids are classified as short chain (1-5 carbons), medium chain (6-12 carbons), and long chain (13-21 carbons) and very long chain (contains 22 and more carbons) according to the carbon chain length;

SEC. 4. Scope and Application. - This Act shall apply to all food business operators as defined under Republic Act No. 10611 or the "Food Safety Act."

ARTICLE II
ROLES AND RESPONSIBILITIES OF GOVERNMENT AGENCIES

SEC. 5. Lead Agency. - The DOH shall be the lead agency responsible for ensuring that the provisions of this Act are implemented effectively. It shall exercise the following powers and functions:

a) Convene and lead the inter-agency TFA Task Force composed of the following agencies:

   (i) National Nutrition Council (NNC);

   (ii) Food and Drug Authority (FDA);

   (iii) Department of the Interior and Local Government (DILG);

   (iv) Department of Trade and Industry (DTI);

   (v) Department of Science and Technology (DOST);

   (vi) Department of Agriculture (DA);

   (vii) Philippine Coconut Authority (PCA);

   (viii) Union of Local Authorities of the Philippines (ULAP), and

   (ix) Other agencies and technical experts that shall be identified by the DOH.

b) Issue policies, rules, regulations and standards for the implementation of this Act; and

c) Oversee and monitor the implementation of this Act.

SEC. 6. Assistance and Capacity Building for Local Implementation and Enforcement. - The FDA shall, in coordination with DILG and other relevant agencies, strengthen the capacity of local government units (LGUs) in implementing and enforcing the provisions of this Act with regard to prepackaged and processed food produced and marketed in traditional markets and food service establishments. The FDA shall assist LGUs in regulating food service establishments, upon request of the LGU, which shall include the use of laboratories for testing and sharing of information relevant to products registered with the FDA.

On processed food products, the FDA shall assist the LGUs in terms of providing pertinent regulatory policies, information on registered products, and list of accredited laboratories that can perform appropriate test.

The FDA shall, as deemed possible, and in coordination with pertinent agencies and instrumentalities, establish laboratories in every province, or at least one in every region. Such laboratories must be established in strategic areas and within a reasonable distance from the producers of oils, manufacturers or producers of prepackaged and processed foods, traditional markets and food service establishments.

SEC. 7. Research and Development. - The DOST shall:

(a) Conduct continuing research to identify and develop healthy alternative oils and food products such as:

(i) Healthy alternative oilseeds through crop diversification programs and agricultural research, in coordination with the DA;

(ii) Healthy oils and fats, including coconut oil, through the application of oil modification techniques and other methods; and

(iii)Healthy food products through product reformulation research and development;

(b) Develop or adopt technology, in coordination with the FDA and PCA, to reduce the cost of TFA testing;

(c) Use, in coordination with DA, existing facilities and technology of government instrumentalities, such as the PCA's Research and Product Quality Control Laboratory, to reduce the cost of developing a technology for TFA testing;

(d) Conduct intensive research and studies, in coordination with the DA and the PCA, on coconut oil, being an indigenous natural oil, as possible healthier oil alternative to PHO, and on its beneficial saturated fatty acids content;

(e) Regularly assess, in coordination with the Food and Nutrition Research Institute (FNRI), the TFA consumption among Filipinos as basis for determining the effectiveness of this legislation;

SEC. 8. Oilseeds Crop Diversification. - The DA shall implement an oilseeds crop diversification program and conduct continuing research and development to support the production of healthy alternative oilseeds in coordination with DOST.

The DA, together with DOST-PCAARRD and PC, and DTI shall be the lead agencies that will conduct continuing research and development on oil seeds crop diversification, production, hybridization, and value-adding of healthy alternative oilseeds, including coconut seedlings.

SEC. 9. Trainings and Seminars on Reformulation. - The DOH, in coordination with FDA, DTI, DOST-Philippine Council for Health Research and Development, DOST-FNRI, DILG, and the Technical Education and Skills Development Authority (TESDA), shall conduct trainings and seminars for food business operators and food service establishments on the reformulation of food products to comply with the provisions of this Act, and the use of healthy alternatives of oils.

The TESDA shall offer trainings and services on food safety and handling pursuant to the objectives of this Act.

ARTICLE III
PROHIBITED ACTS

SEC. 10. Prohibition on the Manufacture, Importation, Distribution and Sale of PHOs and Oils and Fats with High TFA Content. - The manufacture, importation, distribution and sale of the following are prohibited, whether domestic or imported:

(a) PHOs to be consumed alone or used in preparation of food products;

(b) Oils and fats made or blended with PHOs; and

(c) Oils and fats with TFA content of 0.50g/100g or more.

TFA in excess of 0.50g/100g from ruminant sources and food products with naturally-occurring TFA shall be excluded from this prohibition.

Food products intended for export should not also contain TFA, regardless if the country of destination has a ban on TFA. The Philippines shall not be a source of TFA in the international food market.

It shall be the burden of the manufacturer, importer, distributor or seller to demonstrate that TFA in excess of 0.50g/100g is from ruminant sources.

No registration, license or permit shall be issued to any food manufacturer, or distributor that manufactures, distributes, or sells food in violation of this provision.

SECTION 11. Prohibition on the Manufacture, Importation, Distribution and sale of processed and prepackaged food with PHOs and high TFA content — The manufacture, importation, distribution and sale of the following are prohibited:

a) Processed and prepackaged food prepared with PHOs, including food prepared by food service establishments;

b) Processed and prepackaged food prepared with oils and fats made or blended with PHOs, including food prepared by food service establishments; and

c) Processed and prepackaged food with TFA content of more than 2g per 100g of total fat, excluding TFA content from ruminant sources.

It shall be the burden of the manufacturer, importer, distributor or seller to demonstrate that TFA in excess of 2g per 100g is from ruminant sources.

SEC. 12. Prohibition on Trans Fat Free Claims. - Claims on the packaging, labelling, marketing, or advertising, that a food product is TFA free is prohibited. A TFA free claim is any claim that states or suggests that the food product does not contain TFA, such as "Trans Fat Free," with "Og Trans Fat," or any other similar claim, consistent with FDA regulations.

SEC. 13. Material Misrepresentation. - Any material misrepresentation with regard to the requirements mandated by the FDA in the application for a CPR shall be a ground for the imposition of appropriate penalties prescribed under this Act.

Any misrepresentation made on the application for CPR will hold the food business operator liable as provided for in pertinent laws.

ARTICLE IV
ENFORCEMENT

SEC. 14. Enforcing Agencies. – The FDA and LGUs shall be responsible for the enforcement of this Act with regard to the following food products:

(a) Processed and Prepackaged food - The FDA shall enforce the provisions of this Act in relation to prepackaged and processed food including oils and fats, whether domestic or imported; and

(b) Food produced and marketed in traditional markets and food service establishments - The LGUs shall enforce the provisions of this Act with regard to prepackaged and processed food produced and marketed in traditional markets and food service establishments within their jurisdiction.

SEC. 15. Inspection Powers and Record-Keeping. - The FDA, through its authorized agents, shall have the power to inspect the premises and records of food manufacturers to determine compliance with this Act. The FDA shall issue guidelines on record-keeping and inspection procedures. The FDA Field Regulatory Operations Office shall use its prevailing suitable guidelines pertaining to record keeping and inspection procedures.

SEC. 16. Enforcement Procedure for Processed and Prepackaged Food. - The existing rules of procedure in administrative proceedings of the FDA shall apply in the handling of cases and violations committed under this Act with regard to processed and prepackaged food, whether domestic or imported. In the case of imported processed and prepackaged food, the existing rules of procedure of the DOF-Bureau of Customs and the Bureau of Import Services and Export Marketing Bureau of the DTI shall apply in the enforcement of this Act.

SEC. 17. Enforcement for Traditional Markets and Food Service Establishments. - The LGUs, through an appropriate issuance, shall establish a mechanism to enforce the provisions of this Act with regard to prepackaged and processed food that are produced and marketed in traditional markets and food service establishments within their jurisdiction. The LGUs may impose penalties for violations thereof.

SEC. 18. Civil Society Participation for Monitoring TFA. - The FDA shall encourage the citizens to be vigilant and report any violations of this Act in a consumer complaints mechanism including in electronic portal system. To this end, the FDA shall implement programs encouraging citizen participation in the conduct of post-market monitoring of TFA content in food and reporting of violations of this Act.

ARTICLE V
FINES AND PENALTIES

SEC. 19. Administrative Penalties. - The following administrative penalties shall be imposed on food business operators found to be in violation of Sections 10, 11, and 12 of this Act:

(a) For the first violation, a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos (P100,000.00) and suspension of the CPR and/or LTO for one (1) month;

(b) For the second violation, a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) and suspension of CPR and/or LTO for three (3) months; and

(c) For the third violation, a fine of not less than Two Hundred Thousand Pesos (P200,000.00) but not more than Three Hundred Thousand Pesos (P300,000.00), suspension of CPR and/or LTO for one (1) year or revocation of the CPR, LTO, and other relevant licenses and permits.

The following administrative penalties shall be imposed on food businesses operators found to be in violation of Section 13 of this Act:

(a) For the first violation, a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) and suspension of the CPR and/or LTO one (1) year; and

(b) For the second violation, a fine of not less than Two Hundred Thousand pesos (P200,000.00) but not more than Three Hundred Thousand Pesos (P300,000.00) and revocation of CPR and/or LTO.

The imposition of fines shall take into consideration the annual gross sales, capital investment and employee size of the food business operator.

SEC. 20. Imprisonment. – In addition to administrative penalties, the following penalties of imprisonment may be imposed on food business operators:

(a) For violations under Sections 10, 11, and 12, imprisonment of not less than one (1) month but not more than six (6) months;

(b) For violations under Section 13, imprisonment of not less than six (6) months but not more than one (1) year.

Criminal and administrative actions for violations of this Act may be instituted separately and independently from one another.

Should the offense be committed by a juridical person, the Chair of the Board of Directors, the President, General Manager, or the partners and/or the persons directly responsible therefor shall be penalized.

If the offender is an alien, he shall be deported after service of sentence and payment of fine without further deportation proceedings.

In case the violation is committed by, or in the interest of, a foreign juridical person duly licensed to engage in business in the Philippines, such license to engage in business in the Philippines shall be immediately revoked.

The above penalties shall not preclude the imposition of applicable penalties by LGUs, and any other sanctions under applicable laws, rules, and regulations.

SEC. 21. Other Penalties. - In addition to the foregoing fines and penalties, the following sanctions may also be imposed:

a) Seizure and condemnation, destruction and/or appropriate disposition of noncompliant food products by the FDA;

b) Revocation or cancellation of business permits and licenses; and

c) Closure of establishment by the LGUs having jurisdiction.

ARTICLE VI
TFA TESTING AND ENFORCEMENT CAPACITY

SEC. 22. Accredited Laboratories and Testing Centers. - The FDA and DTI-Philippine Accreditation Board (PAB) shall coordinate and adopt a mechanism to jointly accredit public and private laboratories capable of testing TFA content in food. The DTI-PAB, as the national accreditation body of the Philippines, shall provide its services to ensure the capability of local laboratories in testing TFA content in food.

The FDA and DTI-PAB shall develop, issue, and publish accreditation procedures and qualification requirements for testing facilities within six (6) months from the effectivity of this Act. The FDA shall adopt mechanisms to reduce the cost of TFA testing in all accredited laboratories and testing centers. The FDA shall, in coordination with DA, use the existing facilities and technology of government instrumentalities, such as the PCA's Research and Product Quality Control Laboratory, to reduce the cost for TFA testing.

SEC. 23. Regional Laboratories and Testing Centers. - Regional laboratories and testing centers shall assist LGUs in monitoring and enforcing the provisions of this Act within their respective jurisdictions as provided in Section 14.

SEC. 24. Resources and Manpower. - The FDA shall determine and ensure sufficient resources such as human resource complement, upgraded laboratory equipment, and other required resources to effectively implement this Act.

The FDA shall, in coordination with DOST, DTI and DA ensure that all regional laboratories have the equipment and resources to conduct testing of TFA content in food. The FDA shall likewise determine and ensure the adequacy of personnel trained on TFA regulation, testing, monitoring and surveillance.

FDA and DOST may request for additional plantilla positions to ensure the availability of personnel for the additional workload to be performed under this Act.

SEC. 25. Duty-free Importation of TFA Testing Equipment. - The importation of laboratory equipment for testing TFA shall be exempt from payment of customs duties and taxes.

ARTICLE VII
INCENTIVES FOR REPLACING TFA

SEC. 26. Early Compliance Incentives for MSMEs. - The DTI and LGUs, through its business process and licensing offices, shall develop and implement policies and programs providing incentives for MSMEs to encourage early and progressive voluntary compliance with this Act.

SEC. 27. Expedited Processing for CPR Applications on Reformulated Products. - The FDA shall expedite the assessment of new CPR applications for food products reformulated in compliance with this Act.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

SEC. 28. Consumer Information, Education and Communication Program. - The DOH shall, in coordination with the Philippine Information Agency, Department of Education, Commission on Higher Education, Department of Information and Communication Technology, DTI-Consumer Protection Group, and the NNC, develop and implement a comprehensive information, education and communications program to raise public and consumer awareness on the provisions of this Act, the health hazards resulting from TFA, sources of TFA in the diet, ways to replace PHOs with healthy alternative oils and fats, and proper use of cooking oil to prevent the formation of TFA.

SEC. 29. Implementing Rules and Regulations (IRR). - Within sixty (60) days from the effectivity of this Act, the DOH shall develop and issue the IRR of this Act in consultation with NNC, FDA, DILG, DTI, DOST, DA, and other relevant government agencies and stakeholders.

SEC. 30. Transitory Provisions. - Within two (2) years from the effectivity of this Act:

a) Food manufacturers shall comply with the additional requirements for CPR application as determined by the FDA;

b) Food business operators shall be allowed to sell their existing food products that do not comply with Sections 10 and 11 of this Act; and

c) Food business operators and food manufacturers shall ensure their smooth progressive compliance within the two-year transition period before the TFA ban takes effect. Appropriate trainings and advocacy shall be conducted among the food business operators to improve their compliance.

All manufacturers, distributors, and retailers of oils and fats, and food service establishments shall be required to submit their existing inventory of food products to the FDA and DTI as of the date of effectivity of this Act. Food business operators shall submit their inventory within sixty (60) days from the effectivity of the IRR to monitor the phase out of non-compliant food products.

Thereafter, taxes on food with PHO or high TFA content shall be imposed after the transition period for compliance has expired.

There shall be mandatory disclosure in food labels of prepackaged and processed food products of their PHO and TFA contents pursuant to health and nutrition standards under this Act.

SEC. 31. Monitoring and Evaluation. - The DOH shall periodically report to the President and the Congressional Committees on Health, Agriculture and Food, and Trade and Industry on the implementation of this Act. The DOH shall, in coordination with DOST-FNRI, further monitor and evaluate the following:

a) TFA exposure screening and surveillance - The DOST-FNRI shall include the regular screening and monitoring of TFA population consumption in the Expanded National Nutrition Survey; and

b) TFA nutrient profiling - The DOST-FNRI shall include the testing and monitoring of TFA content in food in the Food Composition Table and Food Composition Databases. There should be no food product that contains TFA, except for naturally occurring TFAs found in certain foods. The FDA shall provide the list of food products that have been determined to be TFA-free.

SEC. 32. Use of Fees, Charges and Penalties. - All fines and fees that may be collected from the enforcement of this Act shall be used exclusively for its implementation.

SEC. 33. Appropriations. - The initial amount necessary for the implementation of this Act shall be charged against the current appropriation of all concerned agencies. Such funds necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 34. Separability Clause. - If any part or provision of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 35. Repealing Clause. - All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 36. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,