

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session



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**COMMITTEE REPORT NO. 176**

Submitted by the Committee on Basic Education and Culture, Committee on Appropriations and Committee on Ways and Means on MAR 14 2017.

RE : **HOUSE BILL NO. 5269**

Recommending its approval in substitution of House Bills Numbered 34, 246, 448, 1428, 1438, 1558, 1764, 1970, 2616, 2990, 3070, 3276 and 3371.

SPONSORS : Reps. Escudero, Nograles (K.A.), Cua and Del Mar

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Mr. Speaker:

The Committee on Basic Education and Culture, Committee on Appropriations and Committee on Ways and Means, to which were referred House Bill No. 34, introduced by Rep. Raul V. Del Mar, entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY  
PUPILS AND APPROPRIATING FUNDS THEREFOR**

House Bill No. 246, introduced by Rep. Bellaflor J. Angara-Castillo, entitled:

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

House Bill No. 448, introduced by Rep. Jose Christopher Y. Belmonte, entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY  
PUPILS AND APPROPRIATING FUNDS THEREFOR**

House Bill No. 1428, introduced by Rep. Raul C. Tupas, entitled:

**AN ACT  
INSTITUTING THE FRE NUTRI-MEALS PROGRAM IN PUBLIC  
ELEMENTARY AND SECONDARY SCHOOLS, PROVIDING  
MECHANISMS FOR ITS IMPLEMENTATION, APPROPRIATING  
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

House Bill No. 1438, introduced by Rep. Salvador B. Belaro Jr., entitled:

**AN ACT  
ESTABLISHING A NUTRITION PROGRAM FOR ALL PUBLIC  
ELEMENTARY SCHOOLS IN THE COUNTRY AND  
APPROPRIATING FUNDS THEREFOR**

House Bill No. 1558, introduced by Rep. Luis Raymund "LRAY" F. Villafuerte Jr., entitled:

**AN ACT  
INSTITUTING A FREE NUTRI-MEALS PROGRAM TO CHILDREN  
ENROLLED IN ALL ELEMENTARY SCHOOLS INCLUDING  
KINDERGARTEN AND HIGH SCHOOLS IN THE K-12 PUBLIC  
EDUCATION SECTOR, PROVIDING FRAMEWORK FOR ITS  
MEANINGFUL IMPLEMENTATION, APPROPRIATING FUNDS  
THEREFOR, AND FOR OTHER PURPOSES**

House Bill No. 1764, introduced by Rep. Carlos Isagani T. Zarate, entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY  
PUPILS AND APPROPRIATING FUNDS THEREFOR**

House Bill No. 1970, introduced by Reps. Estrellita B. Suansing and Horacio P. Suansing Jr.,  
entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY  
PUPILS AND APPROPRIATING FUNDS THEREFOR**

House Bill No. 2616, introduced by Rep. Reynaldo V. Umali, entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY  
PUPILS AND APPROPRIATING FUNDS THEREFOR**

House Bill No. 2990, introduced by Rep. Wes Gatchalian, entitled:

**AN ACT  
ESTABLISHING THE PHILIPPINE BASIC EDUCATION  
NUTRITION AND PERFORMANCE ACCELERATION PROGRAM,  
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER  
PURPOSES**

House Bill No. 3070, introduced by Rep. Marlyn L. Primicias-Agabas, entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR KINDERGARTEN AND ELEMENTARY PUPILS  
AND APPROPRIATING FUNDS THEREFOR**

House Bill No. 3276, introduced by Rep. Herminio Harry L. Roque Jr., entitled:

**AN ACT  
PROVIDING FOR A NATIONAL SCHOOL LUNCH PROGRAM FOR  
FILIPINO SCHOOL CHILDREN**


and House Bill No. 3371, introduced by Rep. Maximo B. Rodriguez Jr., entitled:

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

have considered the same and recommend that the attached House Bill No. 5269,  
entitled:

**AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING  
PROGRAM FOR PUBLIC KINDERGARTEN AND ELEMENTARY  
PUPILS AND APPROPRIATING FUNDS THEREFOR**

be approved in substitution of House Bills Numbered 34, 246, 448, 1428, 1438, 1558, 1764, 1970, 2616, 2990, 3070, 3276 and 3371, with Representatives Del Mar, Angara-Castillo, Belmonte (J.C.), Tupas, Belaro, Villafuerte, Zarate, Suansing (E.), Suansing (H.), Umali, Gatchalian, Primicias-Agabas, Roque (H.), Rodriguez (M.), Escudero, Nogales (K.A.), Cua, Bolilia, Acop, Go (M.), Labadlabad, Tan (A.H.), Sagarbarria, Chavez, Bagatsing, Deloso-Montalla, Ferrer (J.M.), Bordado, Teves, Eriguel, Gonzaga, Ortega (P.), Salceda, Dimaporo (M.K.), Lobregat, Bataoil, Defensor, Abaya, Arcillas, Tejada, Alonte-Naguiat, Savellano, Caminero, Roque (R.), Amatong, Gonzalez (F.) and Acosta as authors thereof.



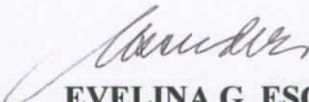
**KARLO ALEXEI B. NOGRALES**  
Chairperson  
Committee on Appropriations



**DAKILA CARLO E. CUA**  
Chairperson  
Committee on Ways and Means

**THE HONORABLE SPEAKER**  
HOUSE OF REPRESENTATIVES  
QUEZON CITY

Respectfully submitted,



**EVELINA G. ESCUDERO**  
Chairperson  
Committee on Basic Education & Culture

(Committee Report on National School Feeding Program Act)

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

HOUSE BILL NO. **5269**

(In substitution of House Bills Numbered 34, 246, 448, 1428,  
1438, 1558, 1764, 1970, 2616, 2990, 3070, 3276 and 3371)

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Introduced by Representatives Del Mar, Angara-Castillo, Belmonte (J.C.), Tupas, Belaro, Villafuerte, Zarate, Suansing (E.), Suansing (H.), Umali, Gatchalian, Primicias-Agabas, Roque (H.), Rodriguez (M.), Escudero, Nograles (K.A.), Cua, Bolilia, Acop, Go (M.), Labadlabad, Tan (A.H.), Sagarbarria, Chavez, Bagatsing, Deloso-Montalla, Ferrer (J.M.), Bordado, Teves, Eriguel, Gonzaga, Ortega (P.), Salceda, Dimaporo (M.K.), Lobregat, Bataoil, Defensor, Abaya, Arcillas, Tejada, Alonte-Naguiat, Savellano, Caminero, Roque (R.), Amatong, Gonzalez (F.) and Acosta

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AN ACT  
INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING PROGRAM FOR  
PUBLIC KINDERGARTEN AND ELEMENTARY PUPILS AND  
APPROPRIATING FUNDS THEREFOR

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

1           **Section 1. Short Title.** – This Act shall be known as the “*National School Feeding*  
2 *Program Act*”.

3  
4           **Sec. 2. Declaration of Policy.** – It is hereby declared the policy of the State to  
5 promote the rights of children to survival, development, and special protection with full  
6 recognition on the nature of childhood and its special needs.

7  
8           Recognizing the direct correlation between good nutrition and the propensity of  
9 children to develop into physically and mentally healthy individuals, the State shall  
10 endeavor to promote and fortify proper nutrition among school children, especially those  
11 belonging to low-income households, in order to safeguard them from the ill effects of  
12 malnutrition and to enhance as well their learning capacities.

13  
14           **Sec. 3. Definition of Terms.** – As used in this Act:

15  
16           (a) *Fortified Food* refers to food with deliberately increased content of essential  
17 micronutrient, i.e. vitamins and minerals (including trace elements) irrespective of whether  
18 or not the nutrients were originally in the food before processing, so as to improve the  
19 nutritional quality of the food supply and to provide a public health benefit with minimal  
20 risk to health;

21

1 (b) *Fresh Milk* refers to pasteurized fresh milk with limited shelf life, usually seven  
2 to 10 days, and requiring refrigeration;

3  
4 (c) *Fresh Milk-Based Food* refers to food product containing fresh milk blended  
5 with powdered milk;

6  
7 (d) *National Household Targeting System for Poverty Reduction (NHTS-PR)* or  
8 *Listahanan* refers to an information management system that identifies who and where the  
9 poor are in the country and serves as a reference in identifying potential beneficiaries of  
10 social protection program;

11  
12 (e) *Powdered milk* refers to a manufactured dairy product made by evaporating  
13 milk into powder form purposely to preserve it and to have a far longer shelf life than liquid  
14 milk due to its low moisture content.

15  
16 **Sec. 4. Objectives.** – This Act shall pursue the following objectives:

17  
18 (a) ensure that adequate health and nutrition programs are accessible to school  
19 children throughout their early childhood years;

20  
21 (b) achieve improved survival rates attendance in public kindergarten and  
22 elementary schools;

23  
24 (c) enhance the physical, social, cognitive, psychological, and language  
25 development of young children;

26  
27 (d) mitigate malnourishment among school children, thus, ensuring that they will  
28 be adequately prepared for the formal learning system; and

29  
30 (e) establish a system for early identification, prevention, referral, and intervention  
31 of developmental disorders and disabilities in early childhood.

32  
33 **Sec. 5. National School Feeding Program.** – There is hereby established a National  
34 School Feeding Program (NSFP) which serves as an alternative approach of providing free  
35 supplementary meals, including fresh milk and fresh milk-based food products, through a  
36 program menu particularly for all children studying in public kindergarten and elementary  
37 schools nationwide.

38  
39 **Sec. 6. Implementation and Inter-Agency Coordination.** – The Department of  
40 Education (DepEd) is hereby authorized to lead in the administration and implementation of  
41 the NSFP. In coordination with the DepEd, the following national government agencies  
42 shall be tasked to make available such resources as may be necessary to ensure the  
43 successful implementation of the NSFP:

44  
45 (a) The Department of Agriculture (DA) and the National Food Authority (NFA)  
46 shall tap farmers associations and cooperatives in the locality for possible sources of food  
47 supplies and shall share with the DepEd any available resources and facilities that may be  
48 used for the NSFP;

1 (b) The Department of the Interior and Local Government (DILG) shall help enlist  
2 the support of local government units (LGUs) as DepEd partners in the operation of the  
3 NSFP, including the possibility of utilizing the services of the City/Municipal Nutrition  
4 Action Officers, City/Municipal Health Officers, Barangay Nutrition Scholars, and  
5 Barangay Health Workers;

6  
7 (c) The Department of Social Welfare and Development (DSWD) shall support the  
8 DepEd by ensuring the availability of data on poor households based on the NHTS-PR or  
9 *Listahanan*;

10  
11 (d) The Department of Trade and Industry (DTI), the DA, the Department of  
12 Health (DOH) and the Food and Drug Administration (FDA) shall help the DepEd look for  
13 cost-effective sources of foodstuff, vaccines, and vitamin supplements;

14  
15 (e) The National Economic and Development Authority (NEDA) shall support the  
16 DepEd in the determination of official development assistance sources to expand the inputs  
17 needed in the NSFP;

18  
19 (f) The National Dairy Authority (NDA) shall support the DepEd in the  
20 procurement of fresh milk and fresh milk-based food products and in coordinating with  
21 local cooperatives and dairy corporations for the availability of milk supplies needed; and

22  
23 (g) The National Nutrition Council (NNC), in coordination with the Food and  
24 Nutrition Research Institute (FNRI), shall provide the menu consisting of a combination of  
25 foods that meet the recommended energy and nutrient intake of children.

26  
27 The DepEd, the participating national government agencies, and other concerned  
28 stakeholders shall execute a Memorandum of Agreement specifying the necessary  
29 arrangements relative to the operations of the NSFP.

30  
31 **Sec. 7. Child Feeding and Nutrition Committee.** – There is hereby created a Child  
32 Feeding and Nutrition Committee (CFNC), chaired by the DepEd Secretary or a duly  
33 authorized representative, co-chaired by the DOH Secretary or a duly authorized  
34 representative, and with members composed of a representative each from the NNC, DA,  
35 DILG, DSWD, DTI, NEDA, FDA, FNRI, NDA, teachers' organization, and parent-teacher  
36 associations. The CFNC shall formulate a school-based feeding and nutrition framework,  
37 oversee its review and evaluation, and may recommend the necessary refinements on the  
38 implementation of the NSFP.

39  
40 The CFNC shall likewise establish a monitoring and evaluation system for the  
41 nationwide implementation of the NSFP, which shall incorporate periodic reports from the  
42 schools division and regional offices. The report shall provide the needed information that  
43 may determine whether or not the program has achieved its objectives, including the  
44 identification of issues and constraints as well as the corresponding appropriate  
45 recommendations.

46  
47 The DepEd Secretary shall designate the support Secretariat of the CFNC,  
48 preferably from DepEd personnel whose functions are relevant to school feeding and  
49 nutrition.

50

1           **Sec. 8. *Mechanics of the NSFP.*** – In addition to its inter-departmental coordinative  
2 and consultative tasks during the operation of the NSFP, the DepEd shall:

3  
4           (a) administer the NSFP, in coordination with concerned government institutions,  
5 for a minimum of one hundred twenty (120) feeding days per school year to be done five (5)  
6 days a week with one (1) feeding activity per school day providing the level of calorie and  
7 protein as prescribed by guidelines on dietary supplementation to be issued by the NNC  
8 Governing Board;

9  
10           (b) conduct orientation-training activities utilizing its core of trainers to all DepEd  
11 health and nutrition unit personnel at the regional and division levels so as to generate their  
12 support to the NSFP's objectives and mechanics. DepEd personnel trained at the schools  
13 division level shall be responsible for training the staff at the district and municipal levels  
14 while those trained at the municipal and district levels shall be responsible for training the  
15 implementers and feeding coordinators at the school level;

16  
17           (c) conduct orientation meetings with parents and pupils utilizing the DepEd  
18 feeding coordinators for proper information dissemination on the NSFP's objectives and  
19 mechanics and in the process generate stakeholders' support for the program;

20  
21           (d) in coordination with the DOH and concerned LGUs, conduct simultaneous  
22 health examinations, including de-worming and vaccination activities, to participating  
23 pupils during the orientation meeting set for parents and pupils. The school's medical staff  
24 or the medical staff of a public health center in the community shall take charge and provide  
25 proper treatment or referral to a hospital for pupils who are found to have defects or  
26 ailments. Classroom advisers, who are required to undergo proper training to be conducted  
27 by the core trainers, shall note their observations regarding the pupils' health condition,  
28 including the measurement of the pupils' height and weight before the start of the feeding  
29 program and every month thereafter for the entire duration of the feeding program;

30  
31           (e) make available the necessary food supplies such as: (1) fresh milk and fresh  
32 milk-based and fortified foods, in accordance with Republic Act No. 8976, or the  
33 "Philippine Food Fortification Act of 2000", and Republic Act No. 8172, or the "Salt  
34 Iodization or ASIN Law"; and (2) vitamin supplements in such dosages and for such  
35 duration as the DOH may determine most beneficial to the child's health and nutritional  
36 well-being; and

37  
38           (f) ensure that the beneficiary school children eat their meals and drink their milk  
39 inside the classroom only, and shall thus be prohibited from taking their ration home.

40  
41           **Sec. 9. *Procurement, Storage and Handling System.*** – The procurement, storage,  
42 and handling of appropriate food supplies shall be spearheaded by the DepEd, in  
43 coordination with the NNC, the FNRI and the other concerned government agencies. The  
44 DepEd shall seek the help of the DA in tapping the services of local farmers associations  
45 and cooperatives for the procurement of locally-produced food supplies and shall encourage  
46 contracts with farmers associations and cooperatives in accordance with existing  
47 procurement laws.

48  
49           In the procurement program, priority shall be given to the utilization of locally-  
50 produced fresh milk and locally-available food supplies, utilizing as well the products of the



1 *Gulayan sa Paaralan Project (GPP)* of the DepEd and the products of community gardens  
2 as part of convergence efforts to increase food supplies at the local level.  
3

4 The DepEd shall issue the guidelines necessary for the effective implementation of  
5 the procurement, storage and handling system.  
6

7 **Sec. 10. *Priority LGUs.*** – In case of shortage of funds, priority in the  
8 implementation of the NSFP shall be given to public kindergarten and elementary schools  
9 situated in municipalities and cities which are determined and identified by the NNC or by  
10 any competent government agency to have high malnutrition rates.  
11

12 **Sec. 11. *Participation of LGUs.*** – The DepEd Secretary shall initiate partnerships  
13 with LGU officials to encourage them to contribute available resources to the feeding  
14 program in public schools within the LGUs' respective area of jurisdiction.  
15

16 Notwithstanding the provisions of Sections 100 and 272 of Republic Act No. 7160,  
17 otherwise known as the *Local Government Code of 1991*, the LGUs shall be allowed to use  
18 their Special Education Fund to support the NSFP, subject to approval of the Local School  
19 Board.  
20

21 **Sec. 12. *Participation of Parent-Teacher Associations.*** – The DepEd shall promote  
22 the involvement of parents through the parent-teacher associations in the planning,  
23 implementation, monitoring, and evaluation of the school feeding program.  
24

25 **Sec. 13. *Private Sector Participation.*** – To supplement the resources needed for the  
26 NSFP, the DepEd shall encourage private sector partnership. A private entity, may, as part  
27 of its Corporate Social Responsibility program, donate or adopt a school as beneficiary of  
28 the NSFP.  
29

30 **Sec. 14. *Tax Exemption.*** – Any donation or bequest made to the DepEd for the  
31 NSFP shall be exempt from donor's tax and the same shall be considered as allowable  
32 deduction from the gross income of the donor, in accordance with the provisions of the  
33 National Internal Revenue Code of 1997, as amended: *Provided*, That the donation is duly  
34 approved by the Secretary of Education upon the recommendation of the Executive Director  
35 of the NNC, in case of food products, and the Secretary of Health, in case of vaccine and  
36 vitamin products.  
37

38 **Sec. 15. *Appropriations.*** – The amount necessary to cover the initial implementation  
39 of this Act shall be charged against the appropriation of the Department of Education for  
40 school-based feeding program under the current General Appropriations Act. Thereafter,  
41 such sums as may be necessary for the continued implementation of this Act shall be  
42 included in the annual General Appropriations Act.  
43

44 **Sec. 16. *Implementing Rules and Regulations.*** – Within ninety (90) days from the  
45 approval of this Act, the DepEd Secretary, in consultation with the heads of other  
46 participating government agencies, shall formulate the rules and regulations implementing  
47 the provisions of this Act. The implementing rules and regulations issued pursuant to this  
48 section shall take effect thirty (30) days after its publication in two (2) national newspapers  
49 of general circulation.  
50

1           **Sec. 17. *Separability Clause.*** – If any provision of this Act is held invalid or  
2 unconstitutional, the other provisions not so declared shall remain in force and effect.  
3

4           **Sec. 18. *Repealing Clause.*** – All laws, decrees, orders and rules and regulations  
5 contrary to or inconsistent with the provisions of this Act are hereby repealed or amended  
6 accordingly.  
7

8           **Sec. 19. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
9 publication in the Official Gazette or in a newspaper of general circulation.  
10

11           Approved,

**House of Representatives**  
**Committee Affairs Department**

**FACT SHEET**

**House Bill No. 5269**

In substitution of House Bills Numbered 34, 246, 448, 1428,  
1438, 1558, 1764, 1970, 2616, 2990, 3070, 3276 and 3371

(As approved by the Committee on 6 Dec. 2016)

**NATIONAL SCHOOL FEEDING PROGRAM ACT**

*Introduced by: REPS. DEL MAR, ANGARA-CASTILLO, BELMONTE (J.C.), TUPAS,  
BELARO, VILLAFUERTE, ZARATE, SUANSING (E.), SUANSING (H.), UMALI,  
GATCHALIAN, PRIMICIAS-AGABAS, ROQUE (H.) AND RODRIGUEZ (M.)*

*Committee Referral: Committee on Basic Education and Culture (Primary)*

*Committee Chairperson: REP. EVELINA G. ESCUDERO*

*Committee Referral: Committee on Appropriations (Secondary)*

*Committee Chairperson: REP. KARLO ELEXEI B. NOGRALES*

*Committee Referral: Committee on Ways and Means (Secondary)*

*Committee Chairperson: REP. DAKILA CARLO E. CUA*

**OBJECTIVES:**

- To address the problem of malnutrition, declining scholastic performance and low cohort survival rate among school children
- To promote the health of our future generation and to provide a favorable policy environment towards national self-sufficiency in food
- To eradicate malnutrition as espoused in the World Declaration on Nutrition and Global Plan of Action for Nutrition, adopted during the International Conference on Nutrition in Rome, Italy in December 1992

**KEY PROVISIONS:**

- Establishes a nationwide school feeding program in all public kindergarten and elementary schools to be implemented by the Department of Education (DepEd), in coordination with the National Nutrition Council (NNC), the National Dairy Authority (NDA), the Department of Health (DOH), the Department of Social Welfare and Development (DSWD), the Department of Agriculture (DA) and the Department of the Interior and Local Government (DILG)
- Provides for free meals to all kindergarten and elementary pupils in school
- Provides for inter-agency coordination and prescribing the respective roles of participating agencies
- Creates the Child Feeding and Nutrition Committee, chaired by the DepEd Secretary or a duly authorized representative, co-chaired by the DOH Secretary or a duly authorized representative, and with members composed of a representative each from the NNC, DA, DILG, DSWD, DTI, NEDA, FDA, FNRI, NDA, teachers' organization, and parent-teacher associations

- Provides for orientation-training to all DepEd health and nutrition personnel, concerned local government unit representatives, and the parent-teacher associations concerning the school's plan of action, including the participants roles and responsibilities in the school feeding program
- Prescribes the guidelines in the procurement and storage of food supplies
- Grants tax incentives to private agricultural companies and other companies for donating food, milk, juices, vitamin supplements or other similar products to the DepEd's national school feeding program
- Mandates the DepEd, in coordination with NNC, DOH and DSWD, to issue the implementing rules and regulations necessary for the effective implementation of this Act
- Appropriates funds necessary for the implementation of this Act to be included in the budget of the DepEd in the annual General Appropriations Act

**RELATED LAW:**

- The 1987 Philippine Constitution