Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

HB NO. 1621

Introduced by Rep. Roseller L. Barinaga

EXPLANATORY NOTE

Consumer confidence is essential to the healthy growth of any market economy.

In a competitive market where consumers are becoming more discerning and knowledgeable, adequate labeling of food and beverages plays a vital role both in the exercise of consumers' rights to safety, information and choice and, certainly, in the process of strengthening the market economy.

Experience would tell us that the basic qualities that consumers look for in food and beverage products are that of wholesomeness, tastiness and value-for-money not to mention the health impact that such products may bring. For one, consumers who may have diabetes, kidney disease, heart ailment, or allergies, etc. would be cautious about their food or beverage intake. So that, strong consumer preferences to specific goods (and, of course, services) reveal the very nature, character and confidence of people on such goods and services.

Consumers expect manufacturers and distributors to provide accurate information in respect to the ingredients used. They must be well-informed about the specific substances included in the product. This information must be as detail and accurate as it can be. Any therapeutic claims or claims of products being "anti-ageing", "anti-cancer", etc. must be regulated, and, if possible, discouraged. The growth of the health food market in the Philippines calls for government to take extra and special attention to protect consumers from misleading and false claims in labeling information and advertisements.

Grounded on that premise, manufacturers and distributors of food and beverages owe it to their consumers to come up with adequate and complete information of their respective products in order to make informed choices.

This bill, therefore, reiterates that specific corporate responsibility of above-said manufacturers and distributors. This specifically requires them to supply the necessary and accurate information on their respective products before distributing and/or selling them to the market.

It is for this reason that passage of this bill is sought.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

HB NO. 1621

Introduced by Rep. Roseller L. Barinaga

AN ACT
REGULATING THE STRICT LABELLING OF FOOD AND BEVERAGE PRODUCTS BY MANUFACTURING AND DISTRIBUTION COMPANIES

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 Consumer Information and Protection Act of 2004.

SEC. 2. *Declaration of Policy*. It is hereby declared the policy of the State to put in its highest priority the promotion of, as much as practicable, the interest and welfare of consumers. Toward this end, the government shall ensure to put in place a regulatory policy against inadequate and misleading information in labels of food and beverages being sold in the country.

SEC. 3. *Supply of Information on Labels*. All manufacturers and distributors of food and beverages in the country shall be required to supply the following information on labels of their respective products:

a) Ingredient List;

b) Additives;

c) Genetic Modification;

d) Minimum Durability Indication;

e) Net Content;

f) Information of Country of Origin, Manufacturers, Packers and Local Sole Agent; and

g) Nutrition Labelling.

SEC. 4. *Accuracy.* Pursuant to section 3 herein, all manufacturers and distributors of food and beverages shall provide accurate information with respect to, among others:

a) ingredients used;

b) the net weight/percentage of sugar, salt or sulphur; and

c) other chemical substances that may have impact on persons with special health conditions.

SEC. 5. *Legibility.* It shall be ensured that labelling of food and beverage products is legible and easily understood by consumers.

For the benefit of those who are unable to read for reasons of illiteracy or of deficiency in reading due to eye-sight problem, labeling information shall be done through the use of graphic symbols.

SEC. 6. *Imported Food Products.* Where food and beverage products are imported and are labeled in the language of the place of origin and which consumers in importing country may not understand, translation of such product information into either English or Filipino shall be made.

SEC. 7. *Role of Manufacturing and Distribution Sector.* Those involved in the manufacturing and distribution of food and beverage products shall recognize that proper labeling of their products reduces not only compliance costs and minimizes risk of product recall, but as well helps enhance consumer confidence in their respective products. Toward this end, manufacturers and distributors of food and beverage products are required to assist the government in raising public awareness on the significance of adequate labeling and in the interpretation of information and data contained on such labels. They shall endeavor to assist in educating consumers insofar as quality products are concerned.

SEC. 8. *Penalty.* Violation to section 3 hereof shall be punished by imprisonment of not less than one (1) year nor more than five (5) years and a fine of not less than Fifty thousand pesos (P50,000.00) nor more than One hundred thousand pesos (P100,000.00) at the discretion of the Court.

SEC. 9. *Discarding of Non-compliant Products.* All food and beverage products non-complying with the provision of section 3 hereof shall, within one (1) year from the effectivity of this Act, be discarded by their manufacturers/distributors thereof. Failure to discard such and proving of their sale or distribution in the market shall be considered a violation under section 3 of this Act.

SEC. 10. *Implementing Rules and Regulations.* The Department of Trade and Industry (DTI), in consortium with the Department of Health (DOH), shall prepare the implementing rules and regulations for the implementation of this Act.

SEC. 11. *Repealing Clause.* All laws, decrees, rules and regulations or parts thereof, which are contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 11. *Separability Clause*. If any part or provision of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 12. *Effectivity*. This Act shall take effect fifteen days from its publication in two national newspapers of general circulation after its approval by the President.

Approved.