

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3682**

Introduced by Honorable **MARIE ANNE S. PERNES**

EXPLANATORY NOTE

It is the policy of the State to protect and promote the right to health of the people and to recognize the role of the youth in nation-building.

Soft drink consumption has become a highly visible and controversial public health and public policy issue. Several researches show that soft drinks contain sugar, artificial sweeteners, caffeine, phosphorus, and carbon acids which have harmful effects on the body.

Drinking too many beverages containing added sugar, such as soft drinks, fruit drinks, energy or sports beverages is associated with health problems such as:

- 1) Obesity – The World Health Organization recognized that consumption of soft drinks contributes to the growing incidence of obesity. According to *Dr. Tim Gill*, the Regional Coordinator of the Asia-Pacific International Obesity Taskforce of Australia revealed that in the Philippines, 1% of young children (0-10 years) and 3% of adolescents (11-17 years) were overweight. The national nutrition survey conducted by the Food and Nutrition Research Institute (FNRI) revealed a steady increase in obesity cases from 5.7 % in 1989 to 8 % in 1993.
- 2) Diabetes- Studies have found an association between a person's soda habit and the rising rate of type 2 diabetes. Experts generally agree that the consumption of these beverages, which has steadily increased, has contributed to the Filipinos' growing problem with the excess weight and weight-related health problems. Research has shown that adults and children who regularly drink beverages high in added sugars tend to have higher calorie intakes and experience greater weight gain. And, as weight gain increases, so does the risk of developing type 2 diabetes.

- 3) Heart Disease- According to the journal *Circulation*, just one sugary drink a day increases risk of heart attack by 20%. Study author *Lawrence de Koning* says that the sugar-sweetened beverages and coronary heart disease is probably due to the large amount of easily digested sugar in these sugary drinks.
- 4) Dental Caries or Tooth Decay – Scientific studies conclude that soft drinks are responsible for doubling or tripling the incidence of tooth decay. A study involving children aged 6-12 years old in La Trinidad, Benguet shows the prevalence of dental caries and high consumption of sugar. Soft drinks are one of the most common sources of dietary sugar. The 2006 National Oral Health Survey (NOHS) revealed that 97.1% of six-year-old children suffer from tooth decay. More than four out of every five children of this sub-group manifested symptoms of dentinogenic infection. About 78.4% of twelve-year-old children suffer from dental caries and 49.7% of the same age group manifested symptoms of dentinogenic infections.

It is the responsibility of the State to protect our children from exposure to harmful substance. The sale of beverages that pose serious health risks can be curbed under the State's police power.

Dr. Ben: for

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3682**

Introduced by Honorable **MARIE ANNE S. PERNES**

AN ACT REGULATING THE AVAILABILITY OF BEVERAGES TO CHILDREN IN
SCHOOLS AND FOR OTHER PURPOSES

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

SECTION 1. Title – This act shall be known as the “Healthy Beverage Options Act of 2013”.

SECTION 2. Declaration of Policy- Article II, Section 15 of the 19887 Constitution provides that it tis the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Pursuant to said provision, it is hereby declared the policy of the State to actively promote the health of children and to take necessary steps to prevent serious health risks that can be brought on by the consumption of soft drinks. Towards this end, the State will ensure that children are provided with healthy choices when purchasing beverages in schools. Towards this end, the State shall regulate the sale of beverages in schools.

SECTION 3. Definition of Terms – The following definitions will apply for purposes of this Act:

School – shall include preschools, grade schools, and high schools, whether public or private.

SECTION 4. Coverage – This Act shall apply to all schools in the Philippines as defined in this act.

SECTION 5. – Prohibitions

A) The following beverages shall not be provided or sold at schools:

- 1) Soft drinks, sports drinks, punches, and iced teas;
- 2) Fruit-based drinks that contain less than 50 percent real fruit juice or that contain additional sweeteners;
- 3) Drinks containing caffeine, excluding low-fat or fat-free chocolate milk.

B) The following beverages shall be sold at schools:

- 1) Fruit-based drinks that contain at least 50 percent of fruit juice and that do not contain additional sweeteners;
- 2) Water and seltzer;
- 3) Low-fat or fat-free milk, including , but not limited to , chocolate milk, soy milk, rice milk, and other similar dairy or non-dairy calcium-fortified milk.

SECTION 6. Implementation – The Department of Education shall implement this law and shall conduct periodic reviews of compliance by schools.

SECTION 7. Penalties – Schools and restaurants found violating this law shall be fined one hundred thousand pesos (P100,000.00) for every violation.

SECTION 8. Repealing Clause - All laws, decrees, executive orders, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 9. Separability Clause - If for any reason or reasons, any portion or provision of this Act shall be held unconstitutional or invalid, all other parts or provisions not affected shall continue to remain in full force and effect.

SECTION 10. Effectivity - This Act shall take effect fifteen days (15) after its publication in at least two (2) national newspapers of general circulation.

Approved.

