

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 3873



Introduced by REP. LINABELLE RUTH R. VILLARICA

EXPLANATORY NOTE

One of the Millennium Development Goals is to eradicate extreme poverty and hunger. The aim is to halve, between 1990 and 2015, the proportion of people who suffer from hunger as indicated by the prevalence of underweight children under-five years of age and the proportion of population below minimum level of dietary energy consumption.

However, based on the Sixth National Nutrition Survey, carried out by the Food and Nutrition Research Institute ("FNRI") in 2003, our progress towards achieving the goal of halving the prevalence of underweight children under-five years of age is behind schedule. According to the FNRI, 27% or over 3 Million children who are between 0-5 years old are underweight for their age, 30% or close to 3.5 million of them are short for their age and 5.5% or over half a million are thin or wasted. Similarly, it was found that 2 out of 3 infants 6 months to less than 1 year of age and 1 out of 2 children 1 year to less than 2 years of age were anemic and likely to suffer from long-term cognitive impairment.

Further, the FNRI found that in 2003, 27% of pregnant women were nutritionally at risk of delivering low birth-weight babies and that among lactating women, 12% were chronically energy deficient and therefore, have compromised caring capacities.

On the other hand, the Food & Agriculture Organization of the United Nations cites, in its website, protein-energy malnutrition and micronutrient deficiencies as the leading nutritional problems in the Philippines. According to said organization, malnutrition in the Philippines is caused by a host of interrelated factors – health, physical, social and economic, among others.

About 28 Million Filipinos are unable to buy food to meet their nutritional requirements and other basic needs.

The problem is confounded by the various natural calamities that have beset the country. Recently, with the devastation brought by typhoon Yolanda, the United Nations warned that 1.5 million children in typhoon ravaged areas of the Philippines are at risk of malnutrition. Moreover, according to the UN, close to 800,000 pregnant and nursing mothers need nutritional help.

It is clear therefore, based on the foregoing that the issue of malnutrition needs to be given a special focus. The immediate approval of this Act is, therefore, earnestly sought.



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**AN ACT PROVIDING FOR A COMPREHENSIVE MALNUTRITION
PROGRAM
AND APPROPRIATING FUNDS THEREFOR**

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

1 **SECTION 1. Title.** – This Act shall be known as “*The Malnutrition-Free*
2 *Act of 2014*”.

3
4 **SEC. 2. Declaration of Policy.** – The right to health is a fundamental
5 principle guaranteed by the State. Section 15, Article 2, the 1987 Constitution
6 emphasizes that “The State shall protect and promote the right to health of the
7 people and instill health consciousness among them.” Moreover, pursuant to
8 various international human rights instruments and agreements that the State
9 adheres to, the State guarantees the right to adequate food, care and nutrition
10 to children, specially those from zero to five-years old.

11
12 The State likewise declares its determination to eliminate hunger and to
13 reduce all forms of malnutrition and that hunger and malnutrition are
14 unacceptable. The State further maintains that nutrition is both an end-goal
15 and a means to achieve sustained development. It is a multi-faceted issue
16 requiring committed inputs from all sectors. As such, nutrition shall be a
17 priority of the government to be implemented by all its branches in
18 collaboration with non-government organizations and the private sector, in an
19 integrated manner.
20

21 The State furthermore allocates its resources in a sustainable manner
22 thereby eradicating malnutrition of women of reproductive age, pregnant
23 women, and children from 0 to 24 months.

24
25 The State finally refocuses the intervention program on malnutrition to
26 the first 1,000 days of a child's life, i.e. the nine months in the womb and the
27 first 24 months of his/her life which are crucial in preventing malnutrition.

28
29
30 **SEC. 3. Objectives.**—This Act specifically aims to:

31
32 (a) Provide a more comprehensive, sustainable and multisectoral
33 approach to address malnutrition;

34
35 (b) Provide a policy environment conducive to nutrition
36 improvement;

37
38 (c) Provide mechanisms, strategies and approaches in implementing
39 programs and projects to improve nutritional status and to eradicate
40 malnutrition and hunger;

41
42 (d) Strengthen the National Nutrition Council (NNC) as the policy-
43 making body on nutrition; and

44
45 (e) Ensure the meaningful and active participation, partnership and
46 cooperation of NNC-member agencies, other National Government Agencies
47 (NGAs), Local Government Units (LGUs), Non-Government Organizations
48 (NGOs), and the private sector, in an integrated and holistic manner, for the
49 promotion of the nutritional well-being of the population.

50
51 **SEC. 4. Comprehensive Anti-Malnutrition Program.** – There shall be a
52 comprehensive and sustainable program to address malnutrition in the country
53 to be formulated by the NNC, in cooperation with other government agencies,
54 LGUs, the private sector, relevant civil society organizations and industries,
55 within three (3) months from the effectivity of this Act.

56
57 **SEC. 5. Coverage and Phases of the Program.** – This Act covers all
58 Filipinos who are nutritionally at risk, with specific focus on women of
59 reproductive age, pregnant women, lactating mothers, particularly teen-age
60 mothers, and all Filipino children ages zero to two (2) years old that reside in
61 nutritionally-poor areas identified by the Food and Nutrition Research
62 Institute (FNRI).

64 The Comprehensive Anti-Malnutrition Program, hereinafter cited as
65 CAMP, shall be implemented in two phases. The first phase which will be
66 implemented in the first three years of the program, will cover areas identified
67 by the FNRI as having the most number of nutritionally at risk populations.
68 The second phase, which will be implemented in the succeeding three years of
69 the program shall be implemented in the fourth to sixth class municipalities in
70 the country.

71
72 **SEC. 6. Types and Definition of Malnutrition.** - The following types of
73 malnutrition are hereby defined:

74
75 a) Low birth weight refers to weight at birth of less than 2500 grams
76 or 5.5 pounds;

77
78 b) Underweight refers to low weight-for-age which is less than
79 negative two (2) standard deviations (SD) of the WHO Child Growth Standard
80 median;

81
82 c) Stunting refers to low height-for-age which is less than negative 2
83 SD of the WHO Child Growth Standard median and which is an indicator of
84 long standing or chronic malnutrition;

85
86 d) Wasting refers to low weight-for-height which is less than
87 negative 2 SD of the WHO Child Growth Standard median; and

88
89 e) Overweight refers to weight above normal for height, which is
90 greater than positive 2 SD of the WHO Child Growth Standard median.

91
92 **SEC. 7. Target.** - The CAMP shall target to reduce the prevalence rate
93 of underweight children from 0 to 5 years of age to 10 percent from 2011 to
94 2018 or a total of five (5) years.

95
96 For purposes of this Act, the first phase of CAMP shall endeavor to
97 decrease the prevalence rate of underweight children from 0 to 5 years old
98 from 20.2 percent in 2011 to 13.6 percent in 2015, consistent with the target
99 indicated in the Philippine Development Plan 2011-2016.

100
101 By the second phase, covering 2016 to 2018, the prevalence rate of
102 underweight Filipino children from 0 to 5 years old should be 10 percent.

103
104 **SEC. 8. Philippine Plan of Action for Nutrition (PPAN) and**
105 **Strategies.** - The NNC shall, within three (3) months from the adoption of
106 this Act, adopt the PPAN which is the integrated short, medium and long-
107 term plan of the government in response to the global call to eradicate hunger

and malnutrition. It shall be the blueprint for achieving nutrition adequacy for all as an important element for international competitiveness, people empowerment and human development.

The PPAN shall aim to reduce the prevalence of protein-energy malnutrition, Vitamin A deficiency, iron deficiency anemia and iodine deficiency disorders.

The PPAN shall employ the twin strategies of: (a) promoting household food security; and (b) preventing, controlling and eliminating micro-nutrient malnutrition. It shall involve short, medium, and long-term interventions to address hunger and malnutrition. Further, programs to ensure household food security through availability and accessibility of safe and nutritious foods shall be encouraged.

The adoption of the PPAN shall be based on the Philippine Plan of Action for Nutrition 2011-2016 which was already adopted by the NNC Governing Board on 12 January 2012.

SEC.9. *The National Nutrition Council.* - Due to the urgent need to address malnutrition, the composition of the NNC Governing Board is hereby amended and the same shall now be composed of the following:

- (a) Secretary of Health (Chairperson);
- (b) Secretary of Agriculture (Vice-Chairperson);
- (c) Secretary of the Department of Social Welfare and Development;
- (d) Secretary of the Department of Education;
- (e) Secretary of the Department of Science and Technology;
- (f) Secretary of the Department of Budget and Management;
- (g) Secretary of the Department of Trade and Industry;
- (h) Secretary of the Department of Interior and Local Government;
- (i) Secretary of the Department of Labor and Employment;
- (j) Chairperson of the Philippine Commission on Women;

(k) The Executive Director of the National Economic and Development Authority; and

(l) Three representatives from the private sector to be appointed by the President of the Philippines who shall come from the food, nutrition industry, and women sectors respectively. Said representatives shall serve for a term of two (2) years.

In the event that any cabinet member cannot attend a council meeting, said member shall be represented by an undersecretary or assistant secretary.

The composition of the NNC's Secretariat and Technical Committee as defined in Executive Order No. 294, Series of 1987 shall be maintained.

SEC. 10. Functions and Powers of the NNC.—The NNC shall have the following functions and powers:

(a) Formulate national nutrition policies, plans, strategies and approaches for nutrition improvement in accordance with the CAMP and PPAN;

(b) Oversee and serve as a focal point in the integration of nutrition policies and programs of all member agencies and instrumentalities charged with the implementation of existing laws, policies, rules and regulations concerning nutrition;

(c) Coordinate, monitor and evaluate programs and projects of the public and private sectors and LGUs to ensure their integration with national policies;

(d) Receive grants, donations and contributions, in any form, from foreign governments, private institutions and other funding entities for nutrition programs and projects: *Provided, That* no conditions shall be made contrary to the policies or provisions of this Act;

(e) Coordinate the release of public funds for the promotion of the nutritional well-being of the country in accordance with the approved programs and projects; and

- (f) Call upon any government agency and instrumentality for such assistance as may be required to implement the provisions of this Act.

SEC.11. *Role of NNC-Member Agencies, other National Government Agencies, Local Government Units, and the Private Sector in the implementation of this Act.* - Member agencies shall be responsible for insuring the implementation of programs and projects, development of promotive, preventive and curative nutrition programs, and integration of health and nutrition concerns into their respective policies and plans. It shall provide additional resources, in any form, in support of the local nutrition programs as a continuing involvement of the national government to local programs.

The consortium of State Universities and Colleges (SUCs) shall intensify nutrition related training, research and extension support activities through the Barangay Integrated Development Approach for Nutrition Improvement (BIDANI) Network Program of the Rural Poor and other relevant approaches, thereby strengthening delivery systems in partnership with the LGUs.

LGUs, pursuant to the Local Government Code of 1991, shall provide and deliver basic nutrition services and facilities to the community. The LGUs shall integrate nutrition considerations in their short, medium and long-term development plans, and programs and shall coordinate with the Council in the enforcement of this Act. The State shall provide incentives to the LGUs for projects targeting young children. Other NGAs shall serve as important links in promoting nutrition in development through its participation in the continuing advocacy for nutritional improvement, and integration of nutrition considerations in their sectoral plans and programs.

NGOs shall be encouraged to undertake nutrition related researches and to recommend procedures and guidelines promotive of good nutrition among employees of agencies or members of NGOs.

The Private Sector shall also be encouraged to provide technical and financial assistance to community-based nutrition projects through their corporate social responsibility programs, as their participation in the country's bid to enhance human capital formation.

SEC. 12. *Remuneration and Skills Training for Barangay Health Workers and Barangay Nutrition Scholars.* -LGUs are mandated to provide adequate honoraria to Barangay Nutrition Scholars (BNS) and Barangay Health Workers (BHWs). They shall likewise endeavour to provide sustained

235 capability building skills to BNS and BHWs in support of local nutrition
236 programs.

237
238 The DOH shall be responsible for disseminating all information necessary
239 and providing training programs to the LGUs' nutrition programs. The
240 LGUs, with the technical assistance of the DOH, shall be responsible for the
241 training of BHWs and BNS and other barangay volunteers on nutrition
242 promotion.

243
244 The national government shall provide additional and necessary funding
245 and other necessary assistance for the effective implementation of this Act.

246
247 **SEC. 13. *Nutrition in the Aftermath of Natural Disasters and***
248 ***Calamities.*** - Areas that are struck by disasters must be prioritized in the
249 delivery of nutrition programs. National, regional, and local governments are
250 mandated to immediately provide emergency food supplies for proper
251 nourishment of lactating mothers and children, specifically those from zero to
252 two (2) years old.

253
254 Private sector donations in emergency situations shall be allowed
255 immediately in the aftermath of natural disasters and calamities. The National
256 Disaster Risk Reduction Management Council (NDRMMC) is hereby
257 mandated to formulate guidelines in pursuit of this Section.

258
259 National and local disaster risk reduction and management councils are
260 hereby enjoined to involve women in the decision making process, allowing
261 them to take part in implementing disaster preparedness, recovery and
262 rehabilitation programs.

263
264 **SEC. 14. *Teen-Age Mothers and Lactating Women.*** - LGUs shall
265 endeavour to monitor teen-age mothers and lactating women from poor
266 households as well as those from crisis centers. Access to nutrition by these
267 nutritionally at risk populations must at all times be ensured by health
268 workers and local government officials.

269
270 **SEC. 15. *Appropriations.*** - An initial sum of 100 Million Pesos
271 (PhP100,000,000) is hereby appropriated for this Act in support of locally
272 initiated nutrition programs. Thereafter, appropriation for this Act shall be
273 provided annually in the General Appropriations Act.

274
275 LGUs which have been identified by the FNRI as among those that have
276 populations that are nutritionally at risk, will supplement the funds necessary
277 for the implementation of this Act through a mandatory allocation of at least
278 five percent (5%) of their Internal Revenue Allotment for malnutrition

279 reduction: *Provided That*, the Local Gender and Development Budget shall
280 likewise be utilized for nutrition programs pursuant to the nutrition standard
281 promulgated by the NNC on local feeding programs.
282

283 The funds needed by the NNC to carry out the provisions of this Act shall
284 be charged to the appropriations of the NNC under the annual General
285 Appropriations Act in addition to the appropriations of other
286 department/agencies whose programs and activities are in support of the
287 PPAN and this Act: *Provided That*, for feeding programs supported by public
288 funds, said programs must run continuously for not less 120 days.
289

290 Funds needed by SUCs in implementing BIDANI and other nutrition
291 approaches shall be incorporated in the annual appropriation of SUCs.
292

293 **SEC. 16. Review and Sunset Clause.** – Six years after the effectivity of
294 this Act and every three years thereafter, the NNC shall conduct a review of
295 the nutrition status of the country and shall make a determination if
296 international standards have been complied with.
297

298 In the event the standards have not been met upon expiry of this Act,
299 Congress shall reauthorize this Act for such period as may be necessary to
300 comply with the international standards set on malnutrition.
301

302 **SEC. 17. Separability Clause.** – If any provision of this Act or the
303 application of such provision to any instrumentalities or entities or
304 circumstances is held invalid or unconstitutional for any reason, the remainder
305 of this Act or the application of such other provisions shall not be affected
306 thereby.
307

308 **SEC. 18. Repealing Clause.** – All laws and part of laws, decrees, orders,
309 proclamations, issuance, rules and regulations which are inconsistent with the
310 provisions of this Act are hereby repealed, amended or modified accordingly.
311

312 **SEC. 19. Effectivity.** – This Act shall take *effect* fifteen days after its
313 publication in the Official Gazette or at least two (2) national newspapers of
314 general circulation whichever comes earlier.
315

316 Approved,