

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS
Second Regular Session

House Bill Number **5719**



Introduced by Representative ROLANDO G. ANDAYA, JR.

EXPLANATORY NOTE

Instilling healthy eating practices to improve nutrition across population is a paramount public health concern. It is therefore important to provide consumers with enough information pertaining to their food intake in order to help them make dietary decisions that can improve their health.

A law that mandates the proper labeling of food products is necessary to promote awareness on the importance of balanced diet and to assist people who are on special diets or those who have food allergies to make suitable food choices to manage their conditions.

By requiring proper labeling of food products, consumers are provided with information that can assist them in better understanding the nutritional value of food products and get ample warning on the presence of allergens. Proper food labeling also enables consumers to compare similar food products so they can make healthy food choices based on the relevant nutrition information.

Apart from promoting healthy eating practices among consumers, proper food labeling also encourages food manufacturers to improve the nutrient profile of their products. Proper food labeling encourages the food industry to take a greater role in supporting public health goals.

Proper food labeling can save lives and cut healthcare costs. Approval of this measure is earnestly requested.


ROLANDO G. ANDAYA, JR.

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AN ACT MANDATING THE NUTRITIONAL CONTENT LABELING OF FOOD PRODUCTS, AND PROVIDING FRAMEWORK FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES

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 “Philippine Nutrition Labeling Act of 2015.”

Section 2. Declaration of Policy. - The State shall protect and promote the right to accurate health information of consumers in relation to the nutritional value and content of food products available in the market. Towards this end, the State shall ensure that food products are properly labeled to indicate their nutritional contents and provide allergen declarations.

Section 3. Definition of Terms. –

- (a) Food – shall refer to any material usually of plant or animal origin, containing or consisting of essential nutrients that are consumed for nourishment to maintain life and growth.
- (b) Label – shall refer to any written, printed, or graphic matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity.
- (c) Allergen – any product, substance or ingredient that contain certain proteins that can potentially cause severe reactions in a food allergic

person, such as, but not limited to, milk, eggs, peanuts, tree nuts, fish, shellfish, soy, and wheat.

(d) Package – shall refer to any container or wrapping in which any consumer commodity is enclosed for use in the delivery of that consumer commodity to retail purchasers but does not include –

- (1) Shipping containers or wrapping used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors thereof; or
- (2) Shipping containers or outer wrappings used by retailers to ship and deliver any commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity.

Section 4. Coverage. – This Act is only applicable to food products that are locally manufactured or imported and introduced in the Philippine market.

Section 5. Requirements of Labeling. –

- (a) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer or distributor;
- (b) The separate label statement of nutritional content shall be printed conspicuously and in distinct contrast by typography, layout, color, embossing, or molding with other matters on the package.
- (c) The label shall also contain the following:
 - (1) Number of servings or other units or measure per container;
 - (2) The total number of calories derived from any source and from the total fat;
 - (3) The amount of the following nutrients in each serving size or other unit of measurement for food: total fat, saturated fat, cholesterol, sodium, total carbohydrates, complex carbohydrates, sugars, dietary fiber and total protein;
 - (4) Any vitamin, mineral, or other nutrient required to be printed on the label if it is determined that such information will assist the consumers in maintaining healthy dietary practices;

- (d) Where allergens are present, food products shall be labeled with appropriate warning and advisory statements in bold fonts. Allergens in the list of ingredients shall also be emboldened;
- (e) If a food contains insignificant amounts, as determined by the Bureau of Food and Drugs, of all the nutrients required to be listed in the label or labeling of food, the requirements of such shall not apply to such food if the label, labeling, or advertising of such food does not make any claim with respect to the nutritive value of such food.
- (f) No packaged consumer commodity shall be distributed or caused to be distributed in commerce unless it conforms to the regulations set forth by this Act and established by the Bureau of Food and Drugs.

Section 6. Punishable Acts. –

- (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity for distribution in commerce, or for any person engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of regulations promulgated under authority of this Act.
- (b) This prohibition shall not apply to persons engaged in the business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

Section 7. Sanctions. –

After investigation, any of the following administrative penalties may be imposed:

- (a) The acceptance of a voluntary assurance of compliance or discontinuance from respondent which may include any or all of the following terms and conditions:
 - (1) An assurance to comply with the provisions of this Act and its implementing rules and regulations;

- (2) An assurance to recall, replace, or refund the monetary value of products not properly labeled which were already distributed in the market;
- (b) The condemnation and seizure of the consumer product found to be hazardous to health and safety;
- (c) The imposition of administrative fines in such amount as deemed reasonable by the Secretary of Health, which shall in no case be less than Ten Thousand Pesos (P10,000) and not more than Three Hundred Thousand Pesos (P300,000) depending on the gravity of the offense, and an additional fine of not more than One Thousand Pesos (P1,000) for each day of continuing violation.

Section 8. **Implementing Rules and Regulations.** – The Secretary of the Department of Health with the Bureau of Food and Drugs and the Secretary of Trade and Industry, shall promulgate the necessary rules and regulations to carry out the provisions of this Act.

Section 9. **Separability Clause.** – If any provision or part of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 10. **Repealing Clause.** – All laws, executive orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 11. **Effectivity Clause.** – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,