

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5527**



Introduced by REP. Michael L. Romero and Enrico A. Pineda

EXPLANATORY NOTE

Section 15 of Article II of the Constitution provides that the State shall protect and promote the right of health of the people and instill health consciousness among them.

The Republic of the Philippines recognizes that nutritional deficiency problems in the state, based on nutrition surveys, include deficiency in energy, iron, vitamin A, iodine, thiamin and riboflavin. To a minor extent, the Filipino diet is also deficient in ascorbic acid, calcium and folate.

The Republic of the Philippines recognizes that food fortification is vital where there is a demonstrated need to increase the intake of an essential nutrient by one or more population groups, as manifested in dietary, biochemical or clinical evidences of deficiency.

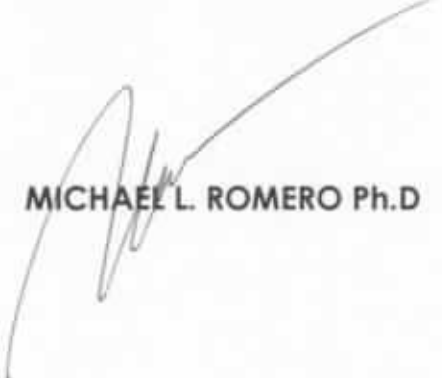
Food fortification is considered important in the promotion of optimal health and to compensate for the loss of nutrients due to processing and/or storage of food.

Food fortification, therefore, shall be carried out to compensate for the inadequacies in Filipino diet, based on present-day needs as measured using the most recent Recommended Dietary Allowances (RDA)

This House Bill seeks to foster that the National Nutrition Council (NCC) shall require other processed foods or food products to be fortified based on the findings of nutrition surveys.

Such requirement shall be promulgated through regulations to be issued by the Department of Health (DOH) through the Bureau of Food and Drugs (BFAD) and other concerned agencies

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D



ENRICO A. PINEDA

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AN ACT
AMENDING REPUBLIC ACT NO.8976 OTHERWISE KNOWN AS THE
"PHILIPPINE FOOD FORTIFICATION ACT OF 2000", INCREASING ITS
PENALTIES AND SANCTIONS, TO FOSTER HEALTH CONCIOUSNESS, TO
PROMOTE OPTIMAL HEALH PROCESSES AND STORAGE FOR FOOD,
AND FOR OTHER PURPOSES

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled:*

SECTION 1. Declaration of Policy

Section 8, of Republic Act No. 8976 is hereby amended to read:

Section 8. Implementation, Monitoring and Review - The DOH through the BFAD shall be the lead agency responsible for the implementation and monitoring of this Act while the NNC, the policy-making and coordinating body of nutrition, shall serve as the advisory board on food fortification.

The DOH shall also be responsible in the conduct of promotional and advocacy activities on the use of fortified processed foods or food products through its Sangkap Pinoy Seal Program (SPSP) and/or other programs designed to promote nutrition. Products approved by the SPSP shall be allowed to use the Sangkap Pinoy Seal.

Furthermore, the DOH is hereby authorized to charge reasonable fees for applications in the SPSP and use of such fees in the promotion and advocacy activities of nutrition.

The NCC shall conduct a periodic review of the micronutrients added to food. This review will provide the basis for determining if the mandatory fortification is still required or not.

The review shall be done at least every two **(2)** years to coincide with the conduct of the Food and Nutrition Research Institute's (FNRI) national nutrition survey and/or the assessment of the Philippine Plan of Action for Nutrition (PPAN).

The local government units, through their health officers or agricultural officers or nutritionist-dieticians or the sanitary inspectors shall assist in monitoring/checking that foods to be mandated to be fortified like rice, refined sugar, wheat flour and cooking oil are properly fortified and labeled with "nutrition facts" indicating the specific micronutrient it was fortified with.

The local food industries shall report on the production, marketing and distribution of fortified foods. They shall annual reports to the DOH, also indicating their industrial concerns and recommendations.

SECTION 2. Declaration of Policy

Section 11, of Republic Act No. 8976 is hereby amended to read:

Section 11. Administrative Sanctions - The DOH through the BFAD, after notice and hearing, shall impose any or all of the following administrative sanctions in cases of noncompliance with the food fortification guidelines it has set:

(a) Denial of registration of the processed foods or food products by the DOH through the BFAD if the processed foods or food products do not comply with the food fortification requirements. Said processed foods or food products shall not be allowed to be put in the market;

(b) Order the recall of the processed foods or food product(s); and

(c) Impose a fine or not less than Five Hundred Thousand pesos (**P500,000.00**) and suspension of registration for the first violation;

not less than Eight hundred thousand pesos (**P800,000.00**) and suspension of registration for the second violation;

and not less than One million pesos (**P1,000,000.00**) and cancellation of the registration of the product for the third violation of the provisions of this Act or its Implementing Rules and Regulations (IRR).

SECTION 3. SEPARABILITY CLAUSE - If any provision or section of this Act or the application thereof to any person or circumstances is held invalid, the other provisions or sections of this Act shall remain valid, and the application of

such remaining provisions or sections to the other persons or circumstances, shall not be affected thereby.

SECTION 4. Repealing Clause. All laws, executive orders, issuances, rules and regulations inconsistent with this Act are hereby amended, repealed or modified accordingly.

SECTION 5. EFFECTIVITY CLAUSE - This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.