

Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City
17th CONGRESS
Third Regular Session

House Bill No. 8607



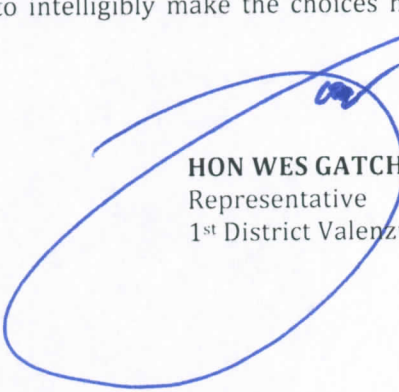
Introduced by Representative Wes Gatchalian

EXPLANATORY NOTE

Food is central to the Filipino experience and lifestyle. In fact, many feasts and festivals are built around the sumptuous delicacies of our cuisine. It is in the banquet table that we celebrate the many milestones of our life, and for many of us the highlight of our day-to-day travails is in the dinner table. Mindful of this delightful and truly Filipino culture and aware of the state's constitutional mandate to protect the health and wellness of the Filipino, this bill is now being proposed by the author to give the Filipino all the tools that he needs in order to make intelligent decisions in his consumption. The proposed measure intends to mandate foodservices like restaurants and canteens to have an available health and nutrition menu which would reflect nutritional facts about the food that is being served such as calorie and sugar levels of such food.

As the Filipino go into this new millennium, he has started live a life that is more fast-paced and dependent on out of home services. While it is still the *lutong-bahay* which is the primary choice, the fact is that many of us consume our food from foodservices as they are more convenient and readily available after a long day of work. The staggering emergence of various foodparks, foodhubs, and food centrals around the metro are a testament to the vibrant demand for such businesses. This is a success of commerce, but hand in hand with such a success is the responsibility that we ensure the health of our people. In proposing this bill the goal is to enable a person to discern his consumption. This bill does not mandate that the health and nutrition menu be the regular menu that is presented to the customer, what it does mandate however is should the customer desire to be furnished with one, such should be available to him. This requirement is far less stringent than what is implemented as regards packaged and over the counter food products which indicate nutritional facts in the packaging. What this proposal tries to protect is the right of the consumer to make an intelligent choice. This is important, as many of the conditions that a person would later on be afflicted with in life are directly linked to the content of the food he consumes. These conditions include diabetes, heart disease, cancer, high cholesterol levels, many of which are among the primary causes of mortality in the country.

In the final analysis what we desire is that each Filipino be able to make the most out of his life and to live his life in full satisfaction. We do not want to limit what he consumes nor tell him what to consume. What we do however intend and are obliged to do is to provide him with tools to intelligibly make the choices he needs to make in order to live a full life.


HON WES GATCHALIAN
Representative
1st District Valenzuela City

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AN ACT
MANDATING FOODSERVICES TO PROVIDE
A HEALTH AND NUTRITION MENU
FOR THEIR FOOD ITEMS

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

Section 1. Coverage of this bill – The provisions of this Act shall be applicable to all restaurants, canteens, and other food services whose capital is in excess of two-million pesos (P 2, 000, 000.00). In case of franchise, the capital of the franchiser shall be considered who shall also be responsible for complying with the requirements of this law.

Section 2. Definition of Terms – As used in this Act, the following terms shall mean:

- (1) "Health and Nutrition Menu" is a menu that reflects the calories, sugar level, additives, preservatives, and other nutritional facts as may be provided by the Implementing Rules of this Act, of the food and beverage products of a food service provider.
- (2) "Regular Menu" is the menu presented to the customer reflecting the name, price points, and other contents related to the food products which the foodservice intends to include
- (3) "Foodservices" are those businesses, institutions, and companies responsible for any meal prepared outside the home, such as restaurants, school and hospital cafeterias, and catering operations.

Section 3. Mandatory availability of the Health and Nutrition Menu. – It shall be mandatory for all foodservice covered by this act to have an available, up to date, Health and Nutrition Menu presented at the customer's request.

Section 4. Penalty. – A foodservice failing to comply with the requirements of this act shall be penalized as follows:

- a. First Offence - fine of not less than fifty thousand (P 50, 000.00) pesos.
- b. Second Offence – suspension of operation of the branch until the foodservice has complied, and a fine of not less than one-hundred thousand pesos (P 100, 000.00)

- c. Third Offence – Cancellation of the business permit of the branch and a fine of not less than one hundred fifty thousand pesos (P 150,000.00)

In case of franchise, this provision shall apply to the franchisee when it speaks of branch and to the franchiser as to fines being met with such penalty for each non-complying franchisee.

Section 5. Implementing Rules and Regulations. – The Department of Trade and Industries and the Department of Health with the assistance of the Food and Drugs Administration shall issue the Implementing Rules and Regulations for compliance with this act not later than three (3) months from the effectivity of this law. The implementation of the provisions of this Act shall be the duty of the Department of Trade and Industries.

Section 6. Transitory Provision. – All foodservices covered by the provisions of this Act shall be given six (6) months after the first publication of the Implementing Rules and Regulations in a newspaper of general circulation to comply with the provision of this Act.

Section 7. Separability Clause. - If any portion or provision of this Act is declared void or unconstitutional, the remaining portions or provisions thereof shall not be affected by such declaration.

Section 8. Repealing Clause - All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 9. Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete publication in at least two (2) national newspapers of general circulation.