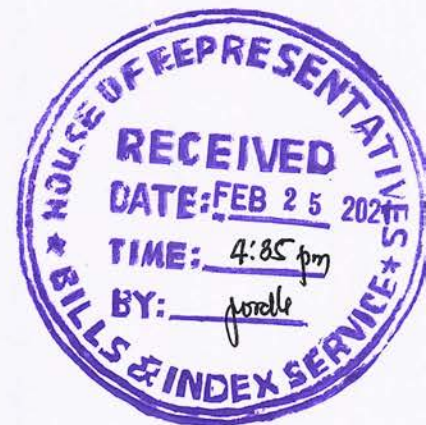


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 8815



Introduced by Representative PABLO JOHN F. GARCIA

EXPLANATORY NOTE

The fundamental law of the land places a high priority on health and ordains the following: The State shall protect and promote the right to health of the people and instill health consciousness among them.¹ The State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. [x x x]² The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems.³

The DOH tells us that, "The leading causes of death are diseases of the heart, diseases of the vascular system, pneumonias, malignant neoplasms/cancers, all forms of tuberculosis, accidents, [chronic obstructive pulmonary disease (COPD)] and allied conditions, diabetes mellitus, nephritis/nephritic syndrome and other diseases of respiratory system. Among these diseases, six are non-communicable and four are the major [non-communicable diseases (NCDs)] such as cardiovascular diseases, cancers, COPD and diabetes mellitus."⁴

The Philippine Statistics Authority's ("PSA") data⁵ concerning the causes of the 579,237 Filipino deaths in 2017 reveal the following numbers for some of the above ailments— Diseases of the circulatory system: 196,900 (34%); Diseases of the respiratory system: 87,760 (15%); Neoplasms (cancers): 64,125 (11%); and Endocrine, nutritional and metabolic diseases (including Diabetes Mellitus): 41,642 (7%).

In 2002, the World Health Organization ("WHO") and the Food and Agriculture Organization ("FAO") met in Geneva to "examine the science base of the relationship between

¹ Const. art. II, § 15.

² Const. art. XIII, § 11.

³ Const. art. XIII, § 12.

⁴ *Id.* at WHAT ARE THE LEADING CAUSES OF MORTALITY IN THE PHILIPPINES?, available at <https://www.doh.gov.ph/node/1058>.

⁵ Available at

<https://psa.gov.ph/sites/default/files/attachments/crd/article/2017%20Death%20Statistical%20Tables.xlsx>. Select Table 5.

diet and physical activity patterns, and the major nutrition-related chronic diseases.”⁶ They discuss:

Recommendations were made to help prevent death and disability from major nutrition-related chronic diseases. These population nutrient intake and physical activity goals should contribute in the development of regional strategies and national guidelines to reduce the burden of disease related to **obesity, diabetes, cardiovascular disease, several forms of cancer, osteoporosis and dental disease**. They are based on the examination and analysis of the best available evidence and the collective judgement of a group of experts representing the global scope of WHO’s and FAO’s mandate.⁷ (emphasis supplied)

The WHO explains further, “Healthy diets and physical activity are key to good nutrition and necessary for a long and healthy life. Eating nutrient dense foods and balancing energy intake with the necessary physical activity to maintain a healthy weight is essential at all stages of life.”⁸ It likewise recommends that people stay away from high-calorie foods (with high amounts of sugar, starch, or saturated/trans fats) and salt and suggests eating more fruits, vegetables, and foods of plant or marine origin. Thus, given the PSA data, we can compute that a staggering two-thirds of Filipino deaths can be attributed to diseases that are linked to poor diet and nutrition.⁹

Death is likewise not the only concern. Lack of physical exercise, bad eating choices, and these diseases also cause inflammation, pain, difficulty in movement and cognition, and a poor state of overall well-being.

For instance, these ailments can exacerbate other illnesses such as the novel coronavirus (COVID-19)—the majority of COVID-19 hospitalizations in the United States are attributable to four preexisting cardiometabolic conditions, a new study suggests.¹⁰ The authors estimate that among the 906,849 total COVID-19 hospitalizations that had occurred among US adults as of November 2020, 30% were attributable to obesity; 26% to hypertension; 21% to diabetes; and 12% to heart failure.¹¹ The cited article discusses:

From the data, the investigators estimate that almost two thirds (63.5%) of the hospitalizations were attributable to these cardiometabolic conditions and that those

⁶ World Health Organization, Global Strategy on Diet, Physical Activity and Health; Diet, nutrition and the prevention of chronic diseases, *Report of the joint WHO/FAO expert consultation (WHO Technical Report Series, No. 916)*, available at <https://www.who.int/dietphysicalactivity/publications/trs916/summary/en/>.

⁷ *Id.*

⁸ *Id.*

⁹ See also World Health Organization, *Noncommunicable diseases*, available at https://www.who.int/health-topics/noncommunicable-diseases#tab=tab_1. The WHO tells us that “Noncommunicable diseases [x x x], including heart disease, stroke, cancer, diabetes and chronic lung disease, are collectively responsible for almost 70% of all deaths worldwide.”

¹⁰ Sue Hughes, *Most Severe COVID Tied to Four Cardiometabolic Conditions*, <https://www.medscape.com/viewarticle/946488> citing Meghan O’Hearn et al., *Coronavirus Disease 2019 Hospitalizations Attributable to Cardiometabolic Conditions in the United States: A Comparative Risk Assessment Analysis*, available at <https://www.ahajournals.org/doi/10.1161/JAHA.120.019259>.

¹¹ *Id.*

hospitalizations would have been preventable had those conditions not been present.

They estimate that a 10% reduction in these four cardiometabolic conditions would potentially have prevented 11.1% of COVID-19 hospitalizations.

The authors believe more should be done to promote healthy lifestyle measures to improve overall cardiometabolic health and potentially minimize the risk for severe COVID-19. (emphasis supplied)

There is a solid consensus among the scientific community. “Medical experts have long recognized the effects of diet on the risk of [cardiovascular disease], but the relationship between diet and many other conditions, including specific cancers, diabetes, cataracts, macular degeneration, cholelithiasis, renal stones, dental disease, and birth defects, have been documented more recently. The following list discusses six aspects of diet for which strong evidence indicates important health implications [x x x]. These goals are consistent with a detailed 2003 World Health Organization (WHO) report [x x x]: (citations omitted)

- (a) Replace saturated and trans fats with unsaturated fats, including sources of omega-3 fatty acids.
- (b) Ensure generous consumption of fruits and vegetables and adequate folic acid intake.
- (c) Consume cereal products in their whole-grain, high-fiber form.
- (d) Limit consumption of sugar and sugar-based beverages.
- (e) Limit excessive caloric intake from any source.
- (f) Limit sodium intake.”¹² (discussions and citations per item omitted; lettering supplied; readers are enjoined to visit the website containing the chapter for more detailed information)

The State’s efforts must not stop with just encouraging physical exercise and proper nutrition and diet. Interventions¹³ with respect to education, economic policy, the Filipino community, the environment, and supply-systems, among others, must also be adopted.

This bill adopts an intensified educational and informational campaign—in and out of school—and prescribes the creation of bicycle lanes and improved walk paths to encourage physical movement. The bill also creates a *Lusog Pinoy* Application with a plethora of information and functionalities. Furthermore, certain food establishments are also proposed to be required to disclose the micro- and macronutrient content of their menu items to the consuming public to aid in decision-making. Special privileges are also granted to senior citizens, persons with disability, and national athletes and coaches. Continuous research is also mandated so that our health programs and initiatives remain on the cutting edge. The bill likewise helps instill health consciousness among members of the civil service and the private sector.

¹² Walter Willett et al., *Prevention of Chronic Disease by Means of Diet and Lifestyle Changes*, Disease Control Priorities in Developing Countries 833 (Dean Jamison et al. editors, 2nd ed.) available at <https://www.ncbi.nlm.nih.gov/books/NBK11795/> (2006).

¹³ *Id.* Readers are once again enjoined to visit the website for its in-depth discussions.

Investing now on health consciousness pays greater dividends in the future. A healthy citizenry becomes better focused on learning and becoming tomorrow's leaders. Healthcare costs and the need for social services also get reduced in the long run.

Proper nutritional habits sustain and affect us for the rest of our lives. "In most cases, quantifying the effects of the intervention is difficult, because behavioral changes may take many years and synergies are potentially important but hard to estimate in formal studies. Substantial nihilism often exists regarding the ability to change populations' diets or behaviors, but major changes are possible over extended periods of time."¹⁴ These changes must be steadfast and should be made today.

The urgent passage of this bill is earnestly sought.

A stylized, handwritten signature in black ink, appearing to read 'P. Garcia'.

Rep. PABLO JOHN F. GARCIA
3rd District, Province of Cebu

¹⁴ *Id.*

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 8815

Introduced by Representative PABLO JOHN F. GARCIA

AN ACT
STRENGTHENING THE NATIONAL POLICY ON NUTRITION, DIETETICS,
PHYSICAL WELLNESS, AND HEALTH, APPROPRIATING FUNDS THEREFOR
AND OTHER PURPOSES

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

Section 1. Short Title. - This Act shall be known as the "*Healthy Living Act of 2021*".

Section 2. Declaration of Policy. - The State shall protect and promote the right to health of the people and instill health consciousness among them. The State shall also adopt an integrated and comprehensive approach to health development that shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. The State shall likewise establish and maintain an effective food and drug regulatory system and undertake appropriate health manpower development and research, responsive to the country's health needs and problems. It is also the policy of the State to instill broad consumer understanding and scientific knowledge upon its citizens so they may achieve optimal nutrition, physical fitness, better health and wellness, and overall reduced morbidity and mortality rates. Lastly, it is the policy of the State to adopt data-driven, scientific, and well-researched approaches suited for the Philippine context in pursuing these ends.

Section 3. Definition of Terms. - For purposes of this Act, the following terms shall be defined as follows:

- (a) *Athletes with disabilities* shall refer to persons with disabilities, as defined as defined herein, who are Filipino citizens, recognized and accredited by the Philippine Sports Commission ("PSC") and the National Paralympic

Committee of the Philippines ("NPC PHIL"), and who have represented the country in international sports competitions;

(b) *Covered Food Establishments ("CFEs")* shall refer to restaurants and similar retail food establishments, such as but not limited to, quick service and sit-down franchise or chain restaurants, grocery and convenience stores that serve restaurant-type food, take-out establishments and delivery chains, entertainment venues that are part of a chain (e.g. movie theaters, amusement parks), chain cafeterias, chain coffee shops, bars, bistros, and bakeries, that are:

- (i) part of a group with five (5) or more locations, whether operating locally, provincially, regionally, or nationally;
- (ii) doing business under the same name;
- (iii) offering for sale substantially the same menu or food items or selections with the same standardized content, portions, or servings; and
- (iv) of whatever type of ownership structure or arrangement, individually or collectively;

(c) *National athletes* shall refer to athletes including persons with disabilities who are Filipino citizens, members of the national training pool, recognized and accredited by the Philippine Olympic Committee ("POC") and the PSC, including athletes with disabilities who are recognized and accredited by the NPC PHIL and the PSC and who have represented the country in international sports competitions;

(d) *National coaches* shall refer to coaches of national athletes, who are Filipino citizens, members of the national coaches training pool, recognized and accredited by the PSC and the POC, or the PSC and NPC PHIL in the case of AWD coaches, who have represented the country as official coaches to national athletes in international sports competitions;

(e) *Non-government organizations and individuals* shall mean members of professional organizations such as the Philippine Medical Association, the accredited integrated professional organizations of nutritionist-dietitians and physical and occupational therapists, food technologists and scientists, exercise and sports scientists, behavioral economists, the academe, concerned entities from the private sector, non-government organizations, people's organizations, and civic service groups, determined by the National Nutrition Council in the Implementing Rules and Regulations ("IRR") through a manner consistent with the policies and aims of this Act, which shall aid in the formulation and execution of the National Healthy Living Framework and related

health consciousness, consumer awareness, and scientific knowledge strategies.

(f) *Persons with disability* are those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

(g) *Senior citizen* refers to any resident citizen of the Philippines at least sixty (60) years old.

Section 4. National Healthy Living Framework. - The Department of Health ("DOH") along with The National Nutrition Council ("NNC") and the non-government organizations and individuals as defined herein, shall establish, formulate and implement the National Healthy Living Framework for a comprehensive Healthy Living program within three (3) months from the effectivity of this Act. The Framework shall, among other goals determined in the IRR as shall be consistent with the policies and provisions of this Act, prescribe Healthy Living goals and related strategies for health consciousness, broad consumer awareness, and scientific knowledge for the Filipino nation.

The NNC shall espouse a scientific approach in its decision-making and shall always keep abreast of contemporary scientific findings, researches, and developments.

This Framework's prescribed short-, medium-, and long-term goals shall be contained in an Action Plan which shall be published or released within six (6) months after the first meeting and shall reflect the mandates found in the provisions of this Act. The Action Plan shall be revised from time to time to reflect refinements, changes, and improvements in any part of the National Healthy Living Framework.

Section 5. Core Principle. - In all endeavors by the NNC or any natural or juridical person or institution, public or private, concerning the provisions of this Act, it must be made clear to the Filipino end-user that the information, such as but not limited to, text, graphics, images, diagrams, video-tutorials, and other material contained on any website, message, email, advertisement, press release, the *Lusog Pinoy* Application described herein, and the like are for informational purposes only. The purpose of this Act is to promote health consciousness, broad consumer understanding, and scientific knowledge of various health topics among Filipinos. It is not intended to be a substitute for professional medical advice, diagnosis, or treatment. The Filipino end-user must always be encouraged to seek the advice of a physician or other qualified healthcare provider regarding any questions they may have about a medical condition or treatment and before undertaking a new healthcare regimen, nutritional and dietetic strategy, physical exercise plan, or any other lifestyle change

encouraged by virtue of the provisions of this Act. They must be told to never disregard professional medical advice or delay in seeking it because of what they may have read because of the programs and initiatives of this Act.

Section 6. *Lead Agency.* - The DOH shall be the primary government agency responsible for the implementation and enforcement of this Act, the advancement of the declared policies in Section 2, and the National Healthy Living Framework. It shall ensure that the mandates provided in this Act are fulfilled by adopting the necessary initiatives, programs, and projects and that interagency cooperation and the proper public and private linkages are observed in the accomplishment of the purposes prescribed herein.

Section 7. *Intensified and Continuing Educational Campaign on Healthy Living.* - A continuing information and education campaign, through all schools and mass media such as the internet, newsprint, radio, television, and the like, concerning healthy living practices, methods, strategies, and attitudes shall be promoted by Department of Education ("DepEd") and the Department of Social Welfare and Development in cooperation with agencies such as the Philippine Information Agency and the Philippine News Agency. Such a campaign shall encourage the multi-sectoral participation of non-government organizations and individuals as defined herein.

The DepEd shall ensure that all school curricula from Grades 1 to 12, with due regard to academic freedom, include up-to-date and age-appropriate information concerning proper nutrition, dietetics, physical fitness, and other health and wellness topics.

The Commission on Higher Education may, consistent with academic freedom, prescribe guidelines which tertiary public and private educational institutions may adopt in their curricula for the purpose of teaching students about proper nutrition, dietetics, physical fitness, and other health and wellness topics.

Section 8. *Bicycle Lanes and Improved Walk Paths.* - To encourage more physical activity through the use of bicycles and increased walking, there shall be established bicycle lanes in all primary and secondary roads in all cities and municipalities of the Philippines as well as improved pedestrian walk paths and sidewalks. Motorized vehicles shall not be allowed to park or traverse along designated bicycle or walk paths but may cross them momentarily to change lanes or streets, to park adjacent to a bicycle lane, or such other exception as may be prescribed in the IRR.

Bicycle lanes shall, as much as possible, be physically separated via barriers from lanes designated for motorized vehicles but shall not compromise pedestrian walkways or sidewalks. In any case, bicycle lanes shall be clearly and conspicuously marked.

As far as practicable, bicycle lanes shall be made to connect and traverse all local government units as well as airports and piers.

In order to foster a conducive and safe bicycling and walking society, the following support infrastructure and facilities shall be established, among other goals as may be determined in the National Healthy Living Framework and Action Plan:

- (a) Bicycle parking facilities and lots in public places, government offices, educational, commercial, and financial establishments, and hospitals and transportation terminals and the like;
- (b) Well-lit sidewalks and pathways;
- (c) Sidewalk improvements with more trees and shrubbery;
- (d) Traffic-calming measures, speed reduction bumps, and other similar installations;
- (e) Pedestrian islands;
- (f) Pedestrian and bicycle crossing improvements;
- (g) Clearly marked crosswalks;
- (h) Warning signs to alert motorists of bicycles;
- (i) Off-street pedestrian and bicycle facilities; and
- (j) Traffic diversion improvements.

A Task Force to ensure the proper fulfillment of the goals of this Section is hereby constituted and shall assist in formulating the appropriate recommendations to be adopted and reflected in the National Healthy Living Framework and Action Plan as defined in Section 4 and the IRR. The Task Force shall be composed of:

- (a) The Secretary of the Department of Transportation;
- (b) A representative from the Department of the Interior and Local Government;
- (c) A representative from the Department of Public Works and Highways;
- (d) A representative from the Department of Environment and Natural Resources;
- (e) A representative from the Metropolitan Manila Development Authority;
- (f) A representative from the University of the Philippines School of Urban and Regional Planning; and
- (g) Three (3) representatives from private non-government organizations, advocacy groups, or civil societies concerned with bicycling and/or walking.

Section 9. Schedule of Lusog Pinoy Food Items - The NNC shall produce a Schedule of *Lusog Pinoy* Food Items ("Schedule") to encourage Filipino citizens and families to consume nutritious food and undertake diet plans which are scientifically correlated if not proven to significantly reduce morbidity and mortality rates if consistently and properly adopted as part of a healthy lifestyle. Such Schedule shall be thoroughly vetted by scientists and professionals from the non-government organizations and individuals as defined herein and shall inform Filipinos of healthier

alternatives to the usual fare they consume. The Schedule shall, among other goals as may be determined by the NNC in the IRR in accordance with this Act, list food items that encourage the consumption:

- (a) of healthy fats such as omega-3 fatty acids and unsaturated fats to replace saturated and trans fats;
- (b) of fruits and vegetables, which are nutritionally-dense and contain micronutrients such as potassium and folic acid; and
- (c) of cereals, grains, rice varieties, and other sources that are whole-grain and/or high in fiber and not high in refined starches.

In coming up with the Schedule, the NNC shall include the following as objectives in its selection:

- (a) the limited consumption if not total avoidance of added sugar and sugar-based beverages and food;
- (b) the avoidance of the excessive consumption of calories from any source; and
- (c) the limited consumption of sodium.

The Department of Trade and Industry, Department of Finance, Department of Agriculture, and the National Economic Development Authority shall establish and enforce a system of reasonable incentives and subsidies that promote the cultivation, production, generation, distribution, marketing, and/or sale of products and food items found in the Schedule.

The government shall endeavor to make the food items in the Schedule affordable and available to all Filipinos.

Section 10. Health Promotion Activities in the Civil Service and Private Workplaces. - The Civil Service Commission ("CSC") and the Department of Labor and Employment ("DOLE") shall endeavor to promote health activities and interventions among public officers and employees, and those in the private sector, respectively, such as but not limited to educating them; recommending their screening for behavioral risk factors which contribute to morbidity; designing incentive programs to walk, ride a bicycle, or take public transportation to work, which workplaces may adopt; issuing guidelines concerning physical wellness programs, disciplines, or exercises during breaks or after work; the endorsement of workplace environment improvements to promote activity; and suggesting the adoption of the Schedule of *Lusog Pinoy* Food Items in cafeterias. The CSC and the DOLE shall explore the use of regular memoranda to inform public officers and employees and those in the private sector of NNC-approved health, nutrition, and physical wellness information.

Section 11. *Mandatory Display of Nutritional Information on Menus, Signages, Menu Boards, and Online Displays of Covered Food Establishments.*

- CFEs, as defined herein, shall disclose, in a clear and conspicuous manner, on their menus, signages, menu boards, online displays and the like, the carbohydrate, fat, protein, and calorie content of their standard food items and selections. Such information shall be displayed adjacent to these items so as to be clearly associated with them. In the case of display tags, the above information shall be stated thereon.

For CFEs that adopt self-service models, as in the case of food sold at a buffet line, salad bar, cafeteria line, or other similar arrangements and facilities, and for self-service beverages or food that are on display and visible to customers, they shall place adjacent to each food item or beverage offered a sign that lists their respective carbohydrate, fat, protein, and calorie content per serving. CFEs shall endeavor to describe to customers the amount of food or drink contained in a particular serving in a practical and intelligible manner (e.g. "W carbs, X fat, Y, protein, and Z cals." per "scoop", "bowl", "bagel", or "small cup filled to the red line" etc.).

For food items and selections that come in different flavors, combinations, or varieties that are listed as a single item, carbohydrate, fat, protein, and calorie disclosures, where there are only two options available, must be presented with a slash between the two disclosures (e.g., "5g/7g of protein" or "180/350 cals.") or as a range (e.g., "15g–25g of carbs") if there are three or more options. Accordingly, if there is only one possible total despite the available options, then this total shall be disclosed.

The disclosure of carbohydrate, fat, protein, and calorie content next to a standard menu item that is intended to serve more than one individual, shall include the number of individuals intended to be served by such food item or selection and the corresponding nutritional content per individual serving.

CFEs shall likewise disclose information, in a clear and conspicuous manner, on a brochure or similar display, whether physical or digital, the latter accessible via an application, website link, quick response (QR) code or such other manner as the NNC may prescribe, made available at the point of sale prior to or during the placement of an order to aid in decision-making, the other nutritional information of their standard food items or selections such as their salt, cholesterol, fiber, and sugar content, fat breakdown (saturated and trans fats), and component vitamins and minerals and their amounts.

In order to contextualize and allow Filipinos to understand better the significance of the information disclosures as required by this Section, CFEs shall place, at the bottom of their menus, signs, menu boards, and online displays in a readable text size, the amount of daily calories needed to sustain a healthy Filipino adult, as prescribed by the NNC. Menus, signages, menu boards, and online displays

intended for children shall disclose their corresponding calorie targets. CFEs shall also include a disclaimer that calorie targets vary from person to person.

CFEs shall be given twelve (12) months from the promulgation of the Implementing Rules and Regulations, to replace and/or update their existing menus, signages, menu boards, and online displays to reflect the provisions of this Section. The NNC shall, in the Implementing Rules and Regulations, prescribe the manner as to how CFEs may have their food items and selections reasonably or scientifically measured and evaluated for the disclosure requirements prescribed herein. CFEs shall be required, in regular intervals as shall be determined by the NNC, to have their disclosures certified as true and correct before display. The introduction of a new standardized food item or selection to the menus, signages, menu boards, and online displays of a CFE shall require prior approval from the NNC pursuant to the disclosure requirements of this Section.

Third-party intermediary food delivery services, which interact with customers via mobile applications, online websites, and the like, are hereby required to accordingly modify their interfaces to properly reflect the disclosure requirements provided for by this Section for their CFE partners.

In any case, the NNC may prescribe additional pieces of information which CFEs must disclose and in what manner, consistent with the provisions of this Act.

This Section's disclosure requirements shall not apply to:

- (a) Custom Orders or any food order that is prepared in a specific manner based on an individual customer's request, which requires a substantial deviation from the usual preparation of a standard food item or selection;
- (b) Daily Specials and the like;
- (c) Temporary Food Items or Selections that appear on a menu, signage, menu board, or online display for less than a total of thirty (30) calendar days per year;
- (d) General-Purpose Condiments (e.g., liquid seasoning or hot sauce bottles, flasks of syrup on the table);
- (e) Foods part of a Customary Market Test, which are displayed only for a short period as shall be determined by the NNC; and
- (f) Any other analogous exemption as may be prescribed by the NNC consistent with the provisions of this Act.

Section 12. *Lusog Pinoy Application.* - The *Lusog Pinoy* Application is hereby created and shall be a comprehensive portal designed to provide mobile, tablet, laptop, desktop, and other users with basic things such as:

(a) A calculator suited for the anatomy and physiology of a typical Filipino, as shall be determined by the NNC. This calculator shall have various functionalities such as:

(i) A Calorie Calculator which shall compute, based on given inputs such as height, weight, sex, age, and weekly physical activity levels, the recommended calorie intake of the user to achieve certain goals such as weight maintenance, a healthy pace of light or moderate weight loss, or a healthy pace of light or moderate weight gain;

(ii) A Body Mass Index calculator to categorize, given inputs like height and weight, if the user is underweight, normal weight, overweight, or obese;

(iii) A Body Fat Calculator to compute, given inputs such as height, weight, and other body measurements, the user's body fat percentage;

(iv) An Ideal Weight Calculator to recommend, given inputs such as weight, sex, and age, to the user the ideal weight he or she must attain in accordance with the formula which shall be adopted by the NNC;

(v) A food and meal plan budgeting calculator and analysis tool which, after being given inputs such as family size, family-member ages, health goals, and daily/weekly/monthly financial budgets, comes out with a recommended meal plan that is economical and nutritious; and

(vi) Any other tool, calculator, index, formula, or functionality which the NNC shall prescribe, consistent with the provisions of this Act and the declaration of policies.

The calculator shall accordingly link or display information, given any result, which shall help the user achieve his or her particular health goals. The information linked may redirect users to external sources such as NNC-approved websites or display other portions of the Application such as those found below; and/or other such resources the NNC shall prescribe, consistent with the provisions of this Act and the declaration of policies;

(b) A comprehensive calorie-counter database of common Filipino food and generic snacks items regularly found in markets and other places of sale which shall contain nutritional information about them such as the amount of sodium and sugar they contain, their calories, and their micronutrient and macronutrient content, to aid in decision-making;

(c) The Schedule of *Lusog Pinoy* Food Items, as mandated in Section 9, which shall contain nutritional information about them such as the amount of sodium and sugar they contain, their micronutrient and macronutrient content, calories, the benefits of their consumption, availability, suggested retail prices, and sample dishes and recipes;

(d) User-appropriate and goal-oriented healthy sample meal plans and recipes, which shall incorporate, as much as possible, foods from the Schedule of *Lusog Pinoy* Food Items;

(e) A sleep, meditation, and relaxation aid which shall feature music and calming sounds from Philippine environments, artists, and cultures and shall have the corresponding timers and alarms;

(f) User-appropriate and goal-oriented healthy daily or weekly exercise plans, which may be done at home or at workout gymnasiums, and shall provide choices, via diagrams or video-tutorials, such as stretching, calisthenics, weight training, low- or moderate-intensity steady state cardiovascular or aerobic exercise, high-intensity interval training, and such other exercises which may be recommended by NNC;

(g) A running companion application which may prescribe user-appropriate and goal-oriented programs or simply act as a tracker that measures the distance, time, frequency, pace, speed, and other metrics, as may be determined in the IRR, of the user's running session. This companion may likewise be integrated with music and heart-rate support and estimate the user's burned calories;

(h) Various educational resources such articles, images, diagrams, and other such information which shall educate the user as to how he or she may achieve optimal wellness through proper diet, exercise, sleep, and any other lifestyle change. For this purpose, the user may enlist in regular newsletters which may be sent to his or her email or mobile phone; and

(i) Any other feature which the NNC shall prescribe, consistent with the purposes of this Act and the declaration of policies.

The Department of Information and Communication Technology ("DICT") shall be the lead agency tasked with the design, development, implementation, distribution, maintenance, and improvement of the *Lusog Pinoy* Application with due supervision and control from the NNC. In the interest of minimizing the impact on the storage capacities of users' devices, the NNC, in consultation with the DICT, shall determine which features and pieces of information shall be part of the core application and those which shall be hosted externally and will be accordingly accessed only when desired by the user. The features and information made part of the Application shall be of an important nature and shall be made available to the user even when offline.

The DICT shall ensure that the Application shall demonstrate the following characteristics:

- (a) Open data and content;
- (b) Excellent user interface, user experience, and intelligibility;
- (c) Ease of internal and external data exchange;
- (d) User safety and privacy;

- (e) Economical use of budget and resources;
- (f) Multilingual Functionality;
- (g) Correctness;
- (h) Dependability;
- (i) Efficiency;
- (j) Adaptability;
- (k) Wide-compatibility;
- (l) Appealing Aesthetics; and
- (m) Any other standard or quality as may be determined by the NNC in the furtherance of the purposes of this Act.

Section 13. *Special Privileges.* - Without prejudice to the exclusive application of other benefits or privileges as may be found in other laws, rules or regulations, any senior citizen, person with disability, or national athlete or coach, as defined herein shall be entitled to the grant of a ten percent (10%) discount and Value Added Tax (VAT)-exemption on the purchase of food found in the Schedule of *Lusog Pinoy* Food Items, as defined herein, in any state, whether natural, raw, pre-packaged, cooked and served or otherwise, from all persons and establishments for their exclusive use, enjoyment or availment.

Persons with disability shall also be entitled to the grant of a twenty percent (20%) discount and exemption from VAT, if applicable, on the acquisition of workout or rehabilitation gymnasium memberships, the use of their facilities, access to fitness clubs, and other similar arrangements.

All establishments shall place signages in conspicuous areas within their premises to inform senior citizens, persons with disability, or national athletes or coaches that they are entitled to the discounts and VAT tax-exemption mentioned in this section.

The Department of Finance through the Bureau of Internal Revenue shall issue the corresponding Revenue Regulations and/or Revenue Memorandum Circulars related to the grant of the discounts and VAT-exemption within thirty (30) days from the effectivity of this Act.

Section 14. *Continuous Research and Development.* - The Department of Science and Technology, in cooperation with public and private research institutions, shall continuously apprise the various government departments, agencies, and instrumentalities and the non-government organizations and individuals mentioned in this Act of novel studies, developments, and researches, here and abroad, regarding nutrition and dietetics, physical fitness, health and wellness, and such other topics which may be related to the purposes of this Act.

Studies in the Philippine context and monitoring efforts to determine and improve the effects of the measures prescribed by this Act are hereby mandated, such as but not limited to:

- (a) the conduct of randomized trials of the use of folic acid and alpha-linoleic acid to prevent cardiovascular disease;
- (b) the development of prospective cohort studies of dietary and lifestyle factors to refine the understanding of risk factors;
- (c) the development of surveillance systems for chronic diseases and for major risk factors, such as obesity;
- (d) the development of additional multifaceted, community-based demonstration programs to document the feasibility of lifestyle changes and to learn more about effective strategies; and
- (e) the conduct of detailed cost-effectiveness analyses of various prevention strategies to modify dietary and lifestyle factors

Section 15. *Penalties.* -

(a) Motorists who shall traverse or park on the designated bike and walk paths as provided for in Section 8 shall be meted with the following penalties:

- (i) Five Thousand Pesos (Php 5,000.00) fine for the first offense;
- (ii) Ten Thousand Pesos (Php 10,000.00) fine with suspension of Driver's License for three (3) months for the second offense; and
- (iii) Twenty Thousand Pesos (Php 20,000.00) and revocation of Driver's License for the third and succeeding offenses.

(b) CFEs and third-party intermediary delivery services which shall not abide by the requirements of Section 11 of this Act shall be meted with the following penalties:

- (i) Fifty Thousand Pesos (Php 50,000.00) fine for the first offense with suspension of operations until rectified;
- (ii) Two Hundred Thousand Pesos (Php 200,000.00) fine with suspension of operations until rectified; and
- (iii) Five Hundred Thousand Pesos (Php 500,000.00) and closure of business with revocation of business permit and other such privileges granted by the government.

For purposes of Section 15(b), the IRR shall prescribe a reasonable period within which CFEs and third-party intermediary delivery services may rectify any deficiency with respect to any of the mandates in Section 11. The

NNC, in the IRR, shall likewise prescribe the additional privileges and grants which may be revoked due to a third violation.

(c) Any person, establishment, organization, or institution which shall not honor the special privileges granted in Section 13 shall be, for the first violation, fined not less than Fifty Thousand Pesos (Php 50,000.00) but not exceeding One Hundred Thousand Pesos (Php 100,000.00) or imprisonment of not less than six (6) months but not more than two (2) years, or both at the discretion of the court; and for any subsequent violation, a fine of not less than One Hundred Thousand Pesos (Php 100,000.00) but not exceeding Two Hundred Thousand Pesos (Php 200,000.00) or imprisonment for less than two (2) years but not more than six (6) years, or both at the discretion of the court.

(d) Any person who shall falsely assume the identity of any of the class of persons granted special privileges in Section 13 for purposes of obtaining the same shall be punished with imprisonment of not less than six (6) months or a fine of not less than Five Thousand Pesos (Php 5,000.00) but not more than Fifty Thousand Pesos (Php 50,000.00), or both, at the discretion of the court.

Section 16. Appropriations. - The amount necessary for the initial implementation of this Act shall be sourced from the current appropriations of the government agencies mentioned herein. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Section 17. Report to Congress. - The DOH shall report to Congress, not later than March 30 of every year following the approval of this Act, the progress of efforts to promote health consciousness and the other goals prescribed by this Act and make the necessary recommendations in areas where there is need for legislative action.

Section 18. Joint Congressional Oversight Committee. - There is hereby created a joint congressional oversight committee to monitor the implementation of this Act. The committee shall be composed of five (5) senators and five (5) representatives to be appointed by the Senate President and the Speaker of the House of Representatives, respectively. The oversight committee shall be co-chaired by a senator and a representative designated by the Senate President and the Speaker of the House of Representatives, respectively. The mandate given to the joint congressional oversight committee under this Act shall be without prejudice to the performance of the duties and functions by the respective existing oversight committees of the Senate and the House of Representatives.

Section 19. *Implementing Rules and Regulations.* - The NNC shall convene within sixty (60) days from the effectivity of this Act and shall promulgate the necessary implementing rules and regulations within six (6) months thereafter.

Section 20. *Repealing Clause.* - All laws, executive orders, proclamations, rules, regulations and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 21. *Separability Clause.* - If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions thereof which are not affected shall continue to remain in full force and effect.

Section 22. *Effectivity.* - This Act shall take effect fifteen (15) days following completion of its publication in at least two (2) newspapers of general circulation.

Approved,