



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4165



INTRODUCED BY REP. HARRIS CHRISTOPHER M. ONGCHUAN

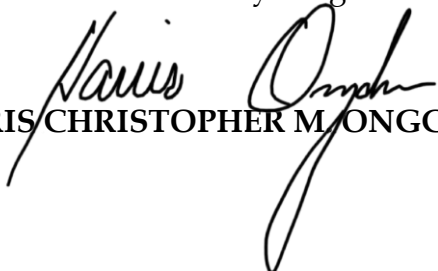
EXPLANATORY NOTE

Administrative Order No. 2014-0030 of the Department of Health mandated the placement of nutritional information and caloric intake on certain products. The exemption, however, only applies to establishments and restaurants serving food.

With the State guaranteeing that it will, "Protect and promote the right to health of the people and instill health consciousness among them," the measure seeks to make food establishments disclose the nutritional information and caloric content of their food and beverages on their menu.

In the 18th Congress, this bill was filed by Representatives Ria Fariñas and Rudys Fariñas I.

In view of the foregoing, the passage of the bill is earnestly sought.


HARRIS CHRISTOPHER M. ONGCHUAN



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Introduced by Representative
HARRIS CHRISTOPHER M. ONGCHUAN

AN ACT
MANDATING FOOD ESTABLISHMENTS TO DISPLAY THE NUTRITION
FACTS AND INFORMATION ON THEIR MENUS

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

SECTION 1. Short Title. -This Act shall be known as the "Mandatory Menu Labeling Act."

SECTION 2. Declaration of Policy. — It is the policy of the State to protect and promote the right of the people to good health, and instill health consciousness among them. The State recognizes that food intake is crucial to the promotion of this policy and that there is a need to keep the consumers informed of nutritional composition of commercially sold food by food service establishments in order to encourage healthier food choices.

SECTION 3. Definition of Terms. — Definition of Terms. -- As used in this Act:

(a) *Food service establishment* refers to an entity that is one of at least twenty (20) entities or more doing business under the same name, regardless of its type of ownership, and selling substantially the same menu items in standard portions. It shall include, but not limited to, chain restaurants, chain coffee shops, bakeries, self-service food locations, such as buffets and salad bars, convenience stores.

(b) *Food items* refer to ready-to-eat and prepared food or beverage for sale in a restaurant or food service establishment:

(c) *Food-on-display* refers to food offered for sale that is visible to a customer before making a selection, and needs no further preparation before consumption;

(d) *Standard menu item* refers to any individual food item or combination of food items that is routinely listed on a menu or menu board, or routinely offered for sale by a restaurant or fast food chain establishment:

(e) *Menu* refers to a printed list of food items and their prices posted in a fast food chain or restaurant as defined in this Act, including fliers for distribution;

(f) *Menu board* refers to any pictorial display of food items and their prices posted in a fast food chain or restaurant as defined in this Act, including those found in drive-thrus;

(g) *Nutritional and calorie information* refers to the total number of calories and nutritional information, which shall be displayed in kilocalories of each menu item on menu and menu boards;

(h) *Self-service food* refers to food and beverage that consumers may help themselves to, including food offered for sale at a salad bar, buffet line, cafeteria line; and

(i) *Standard menu item* refers to food or beverage items offered for sale by a food facility through a menu or menu board.

SECTION 4. Disclosure of Number of Calories. - All food service establishments, as defined under this Act, are hereby mandated to disclose the total number of calories of each standard menu item and prominently display these on their menus and menu boards, adjacent to the standard menu item.

Disclosure and display of nutrition information shall not apply to temporary menu items.

SECTION 5. Calorie Content. - The disclosure of nutrition content information by food establishments, as required in the preceding section, shall indicate the calories contained in a standard menu item to the nearest five-calorie increment up to and including fifty (50) calories, to the nearest ten-calorie increment above fifty (50)

calories. For food with fewer than five (5) calories, the declaration may be expressed as zero (0).

SECTION 6. Nutrition Disclosure Compliance Certificate. - Within six (6) months from the effectivity of this Act, food service establishments are also directed to apply for and secure a Nutrition Disclosure Compliance Certificate (NDCC) from the Department of Health (DOH). The NDCC issued by the DOH shall be valid for two (2) years from the date of issuance and may be renewed at least thirty (30) days before its expiration. The DOH may refuse to renew the NDCC of any food service establishment found to be in violation of this Act.

The failure of any restaurant or food service establishment to secure a NDCC is a ground for suspension or revocation of its license to operate.

SECTION 7. Penalties. - A fine of not less than Twenty thousand pesos (P20,000) but not more than One hundred thousand pesos (P100,000) shall be imposed upon any person operating a food service establishment found to have failed to comply with the mandatory nutrition information disclosures or to have declared false or grossly inaccurate nutrition information regarding the amount of calories or nutrients contained for each standard menu item.

SECTION 8. Implementing Rules and Regulations. — Within sixty (60) days from the effectivity of this Act, the Secretary of Health shall issue the necessary rules and regulations for the effective implementation of this Act.

SECTION 9. Separability Clause. - If any part or provision of this Act is declared unconstitutional or invalid, the other parts which are not affected shall remain in full force and effect.

SECTION 10. Repealing Clause. — All existing laws, orders, decrees, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed 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 a newspaper of general circulation.

Approved.