

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6520



Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution provides that State shall protect and promote the right to health of the people and instill health consciousness among them.

In a survey conducted by the Philippine Statistics Authority in 2022, the top five (5) leading causes of death in the Philippines from January to February 2022 were: ischaemic heart diseases, cerebrovascular diseases, neoplasms, diabetes mellitus, and hypertensive diseases.¹ Most of these diseases can be prevented by adopting a healthy lifestyle. For example, ischaemic heart disease, which are also called coronary artery disease and coronary heart disease, is a heart problem caused by narrowed heart arteries, which may ultimately lead to a heart attack.² Reducing the risk of getting coronary heart disease may be done through simple lifestyle changes such as eating a healthy, balanced diet, controlling blood cholesterol and sugar levels, giving up smoking, to name a few.³

In order to advance the interest of the people, this representation believes that proper disclosure of nutritional facts of food choices can impact the lifestyle of consumers. While packaged goods already display information to inform the would-be buyers of the nutritional value, the same is not true when it comes to food served by restaurants and other service establishments. For this reason, there is merit to the mandatory disclosure and display of nutritional information of food items on menu boards of these food service establishments. Thus, this bill seeks to promote health consciousness among the people by empowering them to make informed choices when it comes to their food consumption.

¹ N.a. "2022 Causes of Deaths in the Philippines (Preliminary as of 31 March 2022)". *Philippine Statistics Authority*. 17 May 2022. Web. Accessed on 27 November 2022. <<https://psa.gov.ph/content/2022-causes-deaths-philippines-preliminary-31-march-2022>>

² N.a. "Silent Ischemia and Ischemic Heart Disease". *Heart.org*. 31 July 2015. Web. Accessed on 27 November 2022. <<https://www.heart.org/en/health-topics/heart-attack/about-heart-attacks/silent-ischemia-and-ischemic-heart-disease>>

³ N.a. "Coronary heart disease". *NHS UK*. N.d. Web. Accessed on 27 November 2022. <<https://www.nhs.uk/conditions/coronary-heart-disease/>>

This commendable bill was first filed by Rep. Anthony Del Rosario in the 14th Congress. Similar versions were filed in the succeeding Congresses. The present proponent is acknowledging the wisdom and hard work of his predecessors.

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

A handwritten signature in black ink, appearing to read 'J. Violago', is written over a horizontal line.

JOSEPH GILBERT F. VIOLAGO

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AN ACT
MANDATING THE DISPLAY OF NUTRITIONAL INFORMATION ON THE
MENU OF FOOD SERVICE ESTABLISHMENTS

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 Display of Nutritional Information Act of 2022”.

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.* – 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. *Mandatory Disclosure of Nutritional Information.* – All food service establishments, as defined under this Act, are hereby mandated to disclose the nutritional information, including 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.

The nutritional information shall indicate the amount of each of the following:

- a) Total calories;
- b) Total fat;
- c) Saturated fat;
- d) Cholesterol;
- e) Sodium;
- f) Total carbohydrates;
- g) Complex carbohydrates;
- h) Sugars;
- i) Dietary fiber; and
- j) Total Protein.

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 (Php20,000.00) but not more than One Hundred Thousand Pesos (Php100,000.00) 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 Regulation.* – 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, for any reason, any part or provision of this Act shall be declared unconstitutional or invalid, the remaining provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 10. *Repealing Clause.* – All other laws, decrees, executive orders, rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,