

HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9566



Introduced by Representative Hon. Ruth Mariano-Hernandez

AN ACT STRENGTHENING THE NATIONAL NUTRITION COUNCIL REPEALING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 491, ENTITLED "CREATING A NATIONAL NUTRITION COUNCIL AND FOR OTHER PURPOSES", EXPANDING ITS POWERS AND FUNCTIONS AS A COMMISSION, AND FOR OTHER PURPOSES

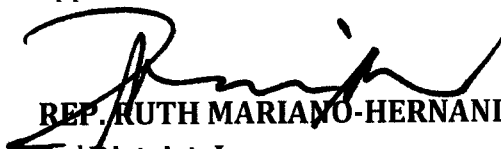
EXPLANATORY NOTE

The need for updated, comprehensive, and effective legislation addressing nutrition and food concerns in our nation cannot be overstated. Proper nutrition is a fundamental human right, crucial for the overall well-being and development of individuals and society as a whole. This proposed bill aims to lay the groundwork for a comprehensive and dynamic approach to tackle these critical issues, thus safeguarding the right to good nutrition, eradicating hunger, and fortifying food security for every Filipino.

The key objectives of this proposed legislation are to create a comprehensive and multi-sectoral national program on nutrition, coordinate and monitor its implementation, provide technical assistance to stakeholders, establish a system for nutrition surveillance, and ensure the efficient allocation of public funds for nutrition and food initiatives. Additionally, this bill aims to promote public awareness, support research and development, and establish partnerships with various sectors to improve nutrition in underprivileged communities.

This House Bill envisions a Philippines where every citizen has access to quality nutrition, where hunger and malnutrition are eradicated, and where the overall quality of life is improved through enhanced nutrition.

Approved,


REP. RUTH MARIANO-HERNANDEZ
2nd District, Laguna

HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9556

Introduced by Representative Hon. Ruth Mariano-Hernandez

AN ACT STRENGTHENING THE NATIONAL NUTRITION COUNCIL REPEALING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 491, ENTITLED "CREATING A NATIONAL NUTRITION COUNCIL AND FOR OTHER PURPOSES", EXPANDING ITS POWERS AND FUNCTIONS AS A COMMISSION, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippine Congress Assembled:

Section 1. *Short Title.* - This Act shall be known as the "Nutrition Act of 2023".

Sec. 2. *Declaration of Policy.* - It is the declared policy of the State to secure the right to health and nutrition for every Filipino. The State, recognizing its international commitments under the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Elimination of All Forms of Discrimination Against Women, affirms its dedication to advancing the nation's healthcare sector and social protection programs. The State, in its pursuit of these objectives, vows to provide access to quality nutrition for all citizens, establish robust food security measures to eradicate hunger and malnutrition, enhance overall quality of life through improved nutrition, and foster collaboration among government branches, local units, non-government organizations, and the private sector to ensure the betterment of human health and well-being.

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

- (a) *Nutrition* refers to the process of providing or obtaining the food necessary for health and growth.
- (b) *Malnutrition* refers to a condition resulting from inadequate or imbalanced nutrition, which may occur due to insufficient food consumption, improper dietary choices, or the body's inability to utilize ingested nutrients effectively.

- (c) *Hunger* refers to the state experienced by an individual whose regular food intake consistently fails to meet their minimum energy requirements, often leading to nutritional deficiencies.
- (d) *Food Security* refers to a condition in which individuals, families, and communities, possess both the physical and economic means to access a sufficient quantity of safe and nutritious food that aligns with their dietary requirements and preferences, thus enabling them to lead active and healthy lives.
- (e) *Multi-sectoral National Program, i.e. Philippine Plan of Action for Nutrition (PPAN)* refers to a comprehensive and coordinated plan of action that involves collaboration and participation from various sectors, both public and private, to develop and implement policies, programs, activities, and projects with the overarching goal of ensuring good nutrition, eradicating hunger, and establishing food security across the nation.
- (f) *Nutrition Champions* refer to individuals or organizations recognized for their exceptional dedication and contributions to the promotion and advancement of nutrition-related initiatives in the Philippines. Criteria for being designated as nutrition champions include a demonstrated commitment to improving nutrition, a record of significant contributions to nutrition programs or policies, and a positive impact on the well-being of the general public, particularly in the areas of good nutrition, hunger eradication, and food security.
- (g) *Social Protection Programs* refer to a set of government initiatives and policies designed to address and alleviate socio-economic vulnerabilities related to nutrition. These programs encompass measures aimed at ensuring that all citizens, especially those facing food insecurity, malnutrition, or limited access to nutritious food, receive essential support. They may include, but are not limited to, schemes for food assistance, nutrition education, and healthcare services, with the overarching goal of improving nutrition outcomes, reducing hunger, and enhancing overall well-being among vulnerable populations.

Sec 4. *Renaming of the National Nutrition Council.* - The National Nutrition Council, established under Presidential Decree No. 491, shall be renamed as the National Nutrition Commission, which shall be attached to the Office of the President for general direction and coordination.

Sec. 5. *Composition of the Commission, Appointment, and Term of Office.* — The Commission shall be the primary policy-making, coordinating, implementing, and advisory body on nutrition and food concerns. It shall be headed by a Chairperson with the rank of Cabinet Secretary and two (2) Commissioners with the rank of Undersecretary. They must be citizens of the Philippines, with considerable exposure to food security, good nutrition promotion, and mitigation of hunger, and malnutrition, at

least thirty (35) years of age, and of good moral character. At least one (1) of them must be duly licensed to practice Medicine in the Philippines.

They shall be appointed by the President for a term of six years with one reappointment and shall be entitled to retirement benefits provided under Republic Act Numbered Fifteen Hundred and Sixty-Eight, as amended by Republic Act Numbered Three Thousand Five Hundred and Ninety-Five. Appointments to a vacancy that occurs before the expiration of the term of a Chairperson or Commissioner shall cover only the unexpired term of the immediate predecessor. At the expiration of the term of the Chairperson or in case of vacancy, the most senior of the Commissioners shall temporarily assume and perform the duties and functions of the Chairperson until a permanent Chairperson is appointed by the President. The Chairperson and the Commissioners shall hold office until their successors are appointed.

Sec. 6. *Appointment of Officers and Employees.* - The Commission shall exercise its authority to appoint its officers and employees in strict compliance with the provisions of the Civil Service law, rules, and regulations, ensuring adherence to established merit-based principles and procedures.

Sec. 7. *Powers, Functions, and Responsibilities of the Commission* — The powers, functions, and responsibilities of the Commission are as follows:

1. To formulate an integrated and multi-sectoral national program on nutrition, encompassing policies, programs, activities, and projects aimed at ensuring good nutrition, eliminating hunger, and ensuring food security.
2. To supervise, coordinate, monitor, and evaluate the implementation of its programs, projects, and activities undertaken by all agencies and instrumentalities of both the government and private sector concerning nutrition and food.
3. To coordinate with the National Disaster Risk Reduction and Management Council and Department of Social Welfare and Development to ensure proper nutrition and food during emergencies and disasters.
4. To provide technical assistance to increase competencies and capabilities of stakeholders and health workers through the conduct of public education, capacity building, skills development, and advocacy.
5. To establish a continuing program for information dissemination and awareness regarding nutrition and food concerns.
6. To create and maintain a system for nutrition surveillance with gender perspective.
7. To coordinate the release of public funds for nutrition and food in accordance with the approved projects, activities, and programs.
8. To coordinate all requests for loans and grants by the government agencies involved in the nutrition and food program.

9. To provide monetary and non-monetary incentives to nutrition champions by establishing rewards and recognition system.
10. To call on any department, bureau, office, agency and other instrumentalities of the government for assistance in the form of personnel, facilities and resources as the need arises.
11. To conduct research, studies, and assessments on the nutritional status of the general public and recommend evidence-based policies and programs for improvement.
12. To establish and maintain a comprehensive database on nutrition-related information, including statistics, research findings, and best practices, accessible to government agencies, researchers, and the public.
13. To promote and support public awareness campaigns and educational initiatives aimed at improving nutrition, including collaborating with educational institutions and community organizations.
14. To develop and implement guidelines and standards for food fortification, dietary supplementation, and nutrition labeling, following internationally recognized best practices.
15. To liaise with international organizations, foreign governments, and non-governmental organizations for the exchange of knowledge, expertise, and resources in the field of nutrition.
16. To recommend legislative amendments and policy enhancements related to nutrition and public health to relevant government bodies.
17. To allocate and disburse funds for research and development initiatives aimed at addressing nutrition-related challenges and finding innovative solutions.
18. To ensure the provision of free nutritious meals in public elementary schools, with a specific focus on serving underprivileged communities.
19. To perform such other functions and duties as may be necessary or incidental to the achievement of the objectives of this Act.

Sec. 8. *Provisional Members and Linkages.* — The Commission, upon call, shall have the support, assistance, and coordination of the following provisional members:

1. Undersecretaries of the following government bodies:
 - a) Department of Health
 - b) Department of Agriculture
 - c) Department of the Interior and Local Government
 - d) Department of Education
 - e) Department of Social Welfare and Development
 - f) Department of Trade and Industry
 - g) Department of Labor and Employment
 - h) Department of Science and Technology
 - i) Department of Budget and Management
 - j) National Economic and Development Authority

2. Presidents of the Leagues of Local Government Units:

- a) League of Provinces
- b) League of Cities
- c) League of Municipalities
- d) Liga ng mga Barangay

3. Maximum of three (3) representatives from any of the following private sector:

- a) Health and nutrition professional organizations
- b) farmer and fisherfolk
- c) women
- d) children
- e) urban poor
- f) food manufacturing
- g) academe and research institutions
- h) organization or association of community health workers or barangay nutrition scholars
- i) non-government organizations

The Commission and the provisional members shall sit en banc for the purpose of approving the PPAN and for other purpose as may be determined by the Chairperson.

The provisional members shall have the honoraria of or 5% of their respective basic salaries, whichever is higher per meeting. "

Sec. 9. *Philippine Plan of Action for Nutrition (PPAN).* - The Commission shall develop and formulate a ten-year multi-sectoral and integrated national nutrition plan of action, aligned with the Philippine Development Plan. The PPAN shall include specific, measurable targets for ending malnutrition and undernutrition within the ten-year period. Progress toward these targets shall be assessed every two years.

In developing the PPAN, the policies, principles, and programs embodied in the Food Fortification Law (Republic Act No. 8976), Act for Salt Iodization Nationwide Law (Republic Act No. 8172), Nutrition and Dietetics Law of 2016 (Republic Act No. 10866), Masustansyang Pagkain para sa Batang Pilipino Act (Republic Act No. 11037), Kalusugan at Nutrisyon ng Mag-Nanay Act (Republic Act No. 11148) and all the relevant laws on nutrition and food security to be enacted hereafter must be considered.

The PPAN must be concurred by its provisional members. The PPAN must be submitted to the Office of the President for direction and coordination.

Sec. 10. *Nutrition Month.* — The month of July shall be designated as NUTRITION MONTH for the purpose of creating greater awareness among our people on the importance of nutrition. The Commission shall formulate and approve programs and activities for nutrition month which should be coordinated across all sectors whether public or private.

Sec. 11. *Donations.* - The Commission shall be authorized to received donations, grants, or gifts in whatever form and from whatever sources: Provided that, said grants, gifts or donations shall be administered, obligated and disbursed in accordance with the terms of the grant or donation and in such manner as the Commission may in its discretion determine.

Sec. 12. *Retention of Personnel; Security of Tenure; Upgrading of Positions and Salaries.* - All existing permanent personnel of the National Nutrition Council shall not be adversely affected by this Act. They shall continue in office and shall not be removed or separated from the service except for cause as provided for by existing laws. Further, the present positions and salaries of personnel shall be upgraded to the level of their counterparts in a department set-up. The Commission shall hire such other personnel as may be necessary for the performance of its functions.

Sec. 13. *Transitory Provisions.* - In consonance with the above provision, the incumbent Executive Director and Deputy Executive Directors shall serve as the firsts Chairperson and Commissioners upon effectivity of this Act.

Sec. 14. *Appropriations.* - The State shall hereby provide the initial amount necessary for the organizational and operational requirements of this Act. Thereafter, the amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

Sec. 15. *Repealing Clause.* - Presidential Decree No. 491 , as amended by Executive Order No. 234 s. 1987, Administrative Order No. 88 s. 1988, and Executive Order No. 427 s. 2005, is hereby repealed. All other laws, executive orders, executive issuances or letter of instructions, or any part thereof, inconsistent with or contrary to the provisions of this Act are hereby deemed repealed, amended or modified accordingly.

Sec. 16. *Separability Clause.* - If for any reason, any section or provision of this Act shall be declared unconstitutional or invalid, the other parts thereof not affected thereby shall remain valid.

Sec. 17. *Effectivity Clause.* - This Act shall take effect after fifteen (15) days following its publication in at least (2) newspapers of general circulation.

Approved,