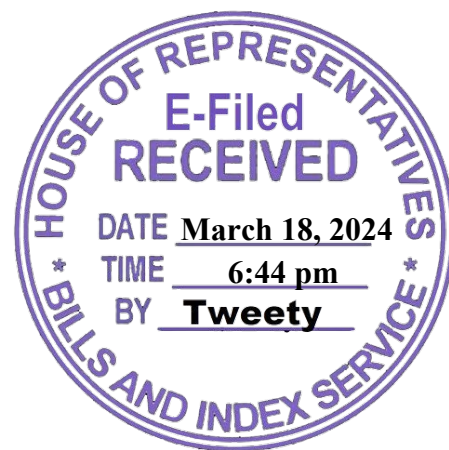


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Congress of the Philippines
Quezon City

NINETEENTH CONGRESS
Second Regular Session

House Bill No. 10169



Introduced by **Rep. Mary Mitzi L. Cajayon-Uy**

AN ACT
PROHIBITING PRODUCERS AND MANUFACTURERS OF BABY FOOD FROM
ADDING SUGAR ON THEIR PRODUCTS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

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.¹

Good nutrition is an integral factor to a child's survival, growth, and development. In 2021, the Expanded National Nutrition Survey (ENNS) reported that only 13.8% of children 6 to 23 months received the minimum acceptable diet for their optimal growth and development.²

Further, the World Health Organization (WHO) has reported that baby food on market that generally contain too much sugar pose a source of health concern. The WHO stresses that proper infant nutrition is fundamental to a child's continued health, from birth through adulthood. Thus, correct feeding in the first three years of life is particularly important due to its role in lowering morbidity and mortality, reducing the risk of chronic disease throughout their life span, and promoting regular mental and physical development.³

Hence, this bill seeks to ensure good nutrition and optimal growth and development for our Filipino children by banning added sugar on baby food.


REP. MARY MITZI L. CAJAYON-UY
2nd District, Caloocan City

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¹ Article XIII, Section 12 of the 1987 Constitution

² Healthier, affordable diets for children key to national development (unicef.org)

³ Infant nutrition (who.int)

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

SECTION 1. Title. - This Act shall be known as "No-Added Sugar on Baby Foods Act."

SECTION 2. Definition of Terms. For purposes of this Act the following terms shall mean:

- a) Baby Food- refers to all consumed food other than breastmilk that is made specifically for older infants and young children aged beyond six (6) months to thirty-six (36) months old.
- b) Older infant - refers to a person aged 6-12 months old.
- c) Producer/Manufacturer- one who produces, imports, trades in, or distributes baby food.
- d) Regulatory requirements - the provisions of all applicable laws, regulations, executive orders, and other enactments related to foods quality and safety, purity, nutritional composition, and other aspects of food regulation or control.
- e) Young children - refers to a person aged 12 - 36 months old.

SECTION. 3. Ban on Added Sugar in Baby Food. No person or entity shall manufacture, sell, import, or distribute in commerce any baby food containing added sugar. The imposition of no-added sugar baby food shall not prejudice the quality and safety of their food products for children. All baby food shall be labeled in accordance with the requirements prescribed by the Food and Drug Administration (FDA).

SECTION. 4. Public Information. - The benefits and rationale of the use of no added sugar baby food shall be adequately disseminated and promoted through organized, systematic, and nationwide information campaign which shall involve major sectors of society to be spearheaded by the Department of Health (DOH), in cooperation and coordination with the LGUs and other agencies concerned.

SECTION. 5. Penalties for Violation. - Whenever it is found that a baby food contains added sugar, the FDA shall, after due notice and hearing, make the appropriate order for its recall, prohibition, or seizure from public sale or distribution. Any person natural or juridical, who shall violate Section 3 of this Act shall be subject to a fine not less than Three Hundred Thousand Pesos (P300,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00) or by imprisonment of not less than one (1) year but not more than five (5) years or both, upon the discretion of the court. In case the offender is a juridical person, the President, Secretary, Treasurer, and such other officers or persons responsible for the offense, shall be criminally liable. If the seller, distributor or manufacturer of the injurious baby containing added sugar is a foreigner, he shall be deported after service of sentence and payment of fine without further deportation proceedings.

SECTION. 6. Appropriations. - The amount necessary for the implementation of this Act shall initially be charged to the appropriations of the agencies concerned as may be appropriated, under the current General Appropriations Act. Thereafter, such amount as may be necessary for its implementation shall be included in the annual General Appropriations Act.

SECTION. 7. Implementing Rules and Regulations. - Within sixty days (60) days from the effectivity of this Act, the DOH and the FDA shall promulgate the necessary rules and regulations for the effective implementation of this Act: Provided, that the DOH and FDA may call upon any agency to provide information or assistance in the drafting of the rules and regulations.

SECTION. 8. Separability Clause. - If any portion of this Act is declared unconstitutional or invalid, all other provisions not affected thereby shall remain valid.

SECTION. 9. Repealing Clause. - All laws, decrees, executive orders, rules and regulations or parts thereof, which are inconsistent with this Act, are hereby repealed, amended or modified accordingly.

SECTION. 10. Effectivity Clause. - This Act shall take effect within fifteen (15) days after its publication in the Official Gazette or in two (2) national newspaper of general circulation.

Approved,