

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

House Bill No. **10982**



Introduced by Honorable Ma. Alana Samanta Taliño Santos

**AN ACT REQUIRING THE DISCLOSURE OF NUTRITIONAL INFORMATION IN
MENUS OF FOOD SERVICE ESTABLISHMENTS**

EXPLANATORY NOTE

Three out of ten adult Filipinos are considered overweight and obese, according to the most recent DOST National Nutrition Survey. With the global shift to work-from-home setup brought about by the COVID-19 pandemic and a disposition for a sedentary lifestyle, this figure is expected to rise. This bill seeks to promote public health awareness through requiring the disclosure of caloric and nutritional information in menus of food service establishments.

Convenience and fast service are shaping the consumer preferences in the country, especially in busy urban areas. By 2026, the quick service restaurant industry (offering fast food) in the Philippines is expected to reach USD 7.9 billion. The Filipino food consumption practices are changing. Today, about 46 percent of Filipinos eat at fast food chains one to three times a week. These popular chain restaurants offer food that is easily available, inexpensive, and dense in calories.

Today, while packaged food is already regulated through required nutritional facts, there are no existing laws mandating restaurants and food establishments to prominently display the nutritional value of food products on their menu. By providing the necessary nutrition information, Filipino consumers are able to make informed choices, empowering them to choose food that is more aligned with their health goals, dietary restrictions and personal preferences.

Disclosing nutritional information benefits both food establishments and customers. As regulatory and legal compliance, it provides transparency and trust that will improve restaurant patronage. Consequently, the public health impact of nutritional information also reduces the incidence of diet-related issues in the Filipino population. In view of the foregoing, the passage of this bill is earnestly sought.

MA. ALANA SAMANTHA TALIÑO SANTOS

Representative
3rd District, Cotabato Province

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*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 "Nutritional Information Disclosure Act of 2024."

Section 2. Definition of Terms. - For purposes of this Act, the following terms are hereby defined:

- a. **Calorie content information** refers to the total number of calories per standard menu item, as that item is usually prepared and offered for sale;
- b. **Covered food establishment** refers to any food establishments that are part of a chain of fifteen (15) or more food service establishments doing business under common ownership or control, or as franchised outlets of a parent business, or that do business under the same name or that voluntarily register with the Food and Drug Administration (FDA) to be covered;
- c. **Food** refers to a unit serving of ready-to-eat food or beverage for sale in a restaurant or food service establishment;
- d. **Food-on-display** refers to food offered for sale that is visible to a customer before making selection, and needs no further preparation before consumption;
- e. **Menu** refers to a printed list or pictorial display of a food item or items, and their price(s), that are available for sale from a covered food service establishment and shall include menus distributed or provided outside of the establishment, specialty menus, such as drink and dessert menu, drive-thru and online menus;

- f. **Menu Board** refers to any list or pictorial display of a food item or items and their price(s) posted in and visible within a covered food service establishment; and
- g. **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 covered food service establishment.

Section 3. *Disclosure of Calorie and Nutritional Information.* - Covered food establishments shall disclose and display the calorie content information of each standard menu item on their menus and menu boards as usually prepared and sold to the public. The calorie content information must be prominently and distinctly displayed adjacent to the name or price of the menu item in a type size no smaller than that of the name or price of the menu item, whichever is smaller.

Food establishments offering self-service food and food-on-display shall post the nutrient content information of such food on a sign adjacent to such.

In addition, menu and menu boards of all covered establishments must prominently display the following: "Additional nutritional information available upon request." Such statements must appear prominently on the bottom of the menu board and may also be placed on signs, posters, tray liners, counter cards, handouts, binders, kiosks, or computers, as appropriate.

Upon request, the nutritional information that may be provided to customers shall indicate the amount of each nutrient, including, but not limited to, the following:

- a) Total fat;
- b) Saturated fat;
- c) Cholesterol;
- d) Sodium;
- e) Total carbohydrates;
- f) Complex carbohydrates;
- g) Sugars;
- h) Dietary fiber; and
- l) Total protein

Notwithstanding anything to the contrary, the mandatory disclosure and display of calorie and nutrition information as required under this Section shall not apply to custom orders prepared in a specific manner based on customer's request, temporary menu item which appears in the establishment's menu board for less than thirty (30) days per year, general use condiments, and foods that are part of a customary market test.

Section 4. *Calorie Content Information.* - The calorie content information of each standard menu item shall be expressed to the nearest five (5)-calorie increment up to and including fifty (50) calories, to the nearest ten (10)-calorie increment above fifty (50) calories. For foods that have fewer than five (5) calories, the declaration may be expressed as zero (0).

Section 5. *Transitory Period and Disclosure Compliance Certificate.* - Covered establishments shall have a period of one (1) year from the approval of this Act to comply with the requirements provided under this Act. Thereafter, all covered establishments shall obtain a Nutritional Disclosure Compliance Certificate (NDCC) from the Department of Health (DOH). The NDCC 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 a covered establishment in the event of violation of, or non-compliance with, any provisions of this Act.

Failure of any restaurant or fast-food chain establishment covered under this Act to secure a NDCC shall be a ground for the suspension or revocation of its license to operate.

For this purpose, the DOH, in coordination with the Department of Trade and Industry (DTI), shall actively conduct information dissemination campaigns to assist covered establishments in complying with the NDCC requirement.

Section 6. *Penalties.* - DOH after notice and hearing, shall impose a fine of not less than Twenty Thousand Pesos (P20,000.00) but not more than Two Hundred Fifty Thousand Pesos (P250,000.00) upon any covered establishment that fail to comply with the requirements under this Act, or that is found to have knowingly declared false or inaccurate nutrition information regarding the amount of calories or nutrients contained in each standard menu item.

Section 7. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, the DOH, FDA, and DTI, in consultation with other government agencies and relevant stakeholders, shall issue the rules and regulations for the effective implementation of this Act.

Section 8. *Separability Clause.* - If any provision of this Act or any part thereof shall be declared unconstitutional or invalid, the other provisions, as far as they are separable, shall remain in force and effect.

Section 9. *Repealing Clause.* - All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 10. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,