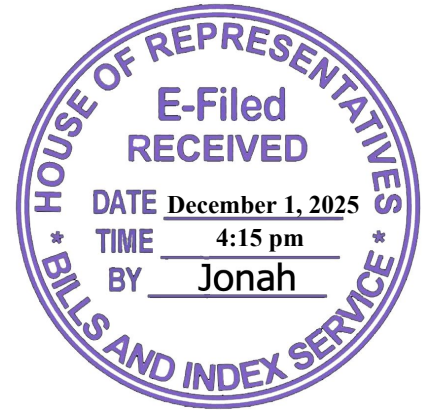


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**TWENTIETH CONGRESS**  
*First Regular Session*

**HOUSE BILL NO. 6507**



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**Introduced by Representative Roman T. Romulo**

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**EXPLANATORY NOTE**

Noncommunicable diseases (NCDs), including cancer, cardiovascular disease, diabetes, and chronic respiratory diseases, account for 68% of the total deaths in the Philippines, with obesity identified as major risk factor, according to the World Health Organization. Furthermore, in a 2023 study of the DOST-FNRI, it was found that the prevalence of overweight and obesity among children 5-10 years old increased from 5.7% in 2003 to 12.9% in 2023, and among adolescents, from 4.9% to 12.5% over the same period. At current levels, the Philippines is far from achieving the targets of the Philippine Plan of Action for Nutrition 2023-2028 for overweight and obesity. Without proper interventions, over 30% of Filipino adolescents may be overweight or obese by 2030.

The vulnerability of Filipinos to NCDs have increased due to the increased availability and consumption of prepackaged food products high in unhealthy types of fat, sodium, or sugar, reinforced by marketing strategies that disproportionately target children—who are especially vulnerable to the influence of advertising and nutritional claims. This is exacerbated by the absence of an effective labelling system as nutrition information on food labels is often inconspicuously placed at the back of product packaging, and even more difficult to understand—especially among consumers from lower-income households. This obesogenic environment within the Philippines prevents Filipinos, especially children, from making informed dietary choices.

It is the policy of the State to protect and promote the right to health of the people and instill health consciousness among them. Moreover, the State shall protect and promote the right of every Filipino to the enjoyment of the highest attainable standard of health, and in fulfillment of the best interests of the child, defend the right of children to proper care and nutrition, and special protection from conditions that are prejudicial to their development. Thus, the State must strive to create a healthy environment that enables Filipinos, especially children, to make healthy food choices.

This proposed measure seeks to address these concerns and uphold the State's policy by requiring mandatory front-of-package warning labels (FOPWL) to help consumers identify products that exceed established thresholds for energy, fat, sodium, and sugar, and regulating all forms of marketing, including those in locations frequented by children, to limit the influence of and reduce the exposure of children to promotions of food that exceed these thresholds.

Other countries that have implemented similar policies have shown promising results, with the FOPWL having been proven to reduce purchases of food and beverages high in the aforementioned nutrients of concern, while marketing restrictions have significantly decreased children's exposure to related advertising.

This proposed measure envisions a healthier Philippines where Filipinos can lead healthy lives by making informed food choices. In view of the foregoing, the approval of the proposed measure is earnestly sought.



**ROMAN T. ROMULO**  
Lone District, Pasig City

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

**TWENTIETH CONGRESS**  
*First Regular Session*

**HOUSE BILL NO. 6507**

---

**Introduced by Representative Roman T. Romulo**

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**AN ACT**  
**TO CREATE A HEALTHY FOOD ENVIRONMENT BY REQUIRING FRONT-OF-**  
**PACKAGE WARNING LABELS FOR FOOD HIGH IN FAT, SODIUM, OR SUGAR**  
**AND REGULATING THE MARKETING OF SUCH FOOD TO CHILDREN**

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

**ARTICLE I. GENERAL PROVISIONS**

**SECTION 1. *Title.*** – This Act shall be known as the “Healthy Food Environment  
Act.”

**SEC. 2. *Declaration of Policy.*** – It is the policy of the State to protect and  
promote the right to health of all Filipinos and instill health consciousness among them.  
It is likewise the policy of the State to protect and promote the right of every child to  
the enjoyment of the highest attainable standard of health and to defend their right to  
proper care and nutrition, which includes the right to healthy environments.

The State therefore recognizes the need to enable all Filipinos to make  
informed food choices and avoid food and beverages that are harmful to one’s health,  
in line with its policy to protect consumers from trade malpractices and substandard  
or hazardous food products.

Furthermore, the State also recognizes the urgent need to protect children from  
obesogenic food environments that promote the sale and marketing of food that are  
high in fats, sodium, and sugar.

**SEC. 3. *Objectives.*** – This Act aims to guide the population in making informed  
food purchases and discourage Filipinos, especially children and people living with or  
at risk of non-communicable diseases, from consuming food containing energy, fat,  
sodium, and sugar in excess of the prescribed maximum thresholds.

1 It also aims to minimize the power of, and reduce the exposure of children to,  
2 marketing of food and beverages containing energy, fat, sodium and sugar excessive  
3 of the prescribed maximum threshold.

4 **SEC. 4. Definition of Terms.** – As used in this Act, the following shall be  
5 defined as follows:

- 6 (a) **Breastmilk substitutes** – refers to any food being marketed or otherwise  
7 represented as a partial or total replacement for breastmilk, whether or not  
8 suitable for that purpose;
- 9 (b) **Calories** – refer to the unit of measurement used to determine the amount  
10 of energy that a food provides;
- 11 (c) **Child** – refers to persons below eighteen (18) years of age, or any person  
12 eighteen (18) years of age or over but who are unable to fully take care of  
13 themselves or protect themselves because of a physical or mental disability  
14 or condition;
- 15 (d) **Child-directed marketing** – refers to all marketing targeted to or to which  
16 children are exposed to, which includes, but is not limited to, marketing that  
17 uses: images, sounds or language designed to appeal to children such as  
18 cartoon characters, personalities or celebrities that target or address  
19 children in their content (licensed or unlicensed), children actors or voices,  
20 or references to school or play; toys or book giveaways, competitions or  
21 promotional giveaways, buy-one-take one, discounts, and pricing bundle  
22 strategies; themes designed to attract children (e.g. fantasy or adventure);  
23 games or activities that are likely to be popular with children; or other similar  
24 or analogous appeals. Child-directed marketing also includes marketing that  
25 is directed to a parent (or another adult) where the end-consumer is a child;
- 26 (e) **Child-centered settings** – refers to any location that is frequented by  
27 families and children because of activities, attractions, or infrastructure  
28 targeted or directed to children, including but not limited to schools,  
29 educational establishments, learning institutions, playgrounds, amusement  
30 parks, or other service centers or places frequented by families and  
31 children, and other similar and analogous settings;
- 32 (f) **Complementary nutritional information** – refers to any information that  
33 may state, suggest, or imply that a food or beverage possesses particular  
34 nutritional or health properties, especially, but not limited to its energy value,  
35 protein, fat, carbohydrates, dietary fiber content, critical nutrients, vitamins,  
36 minerals, including assertions of fortification;
- 37 (g) **Educational establishment** – refers to any establishment, including but not  
38 limited to schools, learning institutions, play schools, sports camps, youth  
39 development facilities, and other places, where a child as defined in this Act

engages in activities that contribute to their overall growth and development through any means of instruction;

(h) **Food and beverage industry** – means manufacturers, wholesale distributors, and importers of prepackaged food;

(i) **Front-of-package warning label (FOPWL)** – refers to the simplified nutrition information system on the main face of the packaging of prepackaged food products that warn consumers when a product contains excessive amounts of nutrients of concern as prescribed in Section 6 of this Act;

(j) **Main face** – refers to the part of the packaging that is intended to be displayed, where the sales name and the brand or logo, if any, are recorded in their most relevant forms;

(k) **Manufacturer** – means a person who makes, mixes, cooks, packs, combines packaging or modifies packaging of prepackaged food required to have a warning label under this Act. This shall include any person who attaches one's own brand name to a prepackaged food product manufactured, assembled, or processed for them;

(l) **Marketing** – means any form of commercial communication of messages, including those distributed by digital means, that are designed to, or have the effect or likely effect of, increasing the recognition, appeal and/or consumption of particular products and services, whether directly or indirectly. It includes but is not limited to acts of advertising and promotions of a product or service including the advertising of corporate social responsibility initiatives, and sponsorships;

(m) **Nutrient** – refers to any chemical substance normally consumed as a component of a food that: (1) provides energy; and/or (2) is necessary for, or contributes to the growth, development, and maintenance of health and life; and/or (3) the absence of which will cause characteristic chemical or physiological changes to occur;

(n) **Nutrient Profile Model** – refers to a tool used to classify or rank foods according to their nutritional composition for reasons related to the prevention of disease and the promotion of health;

(o) **Nutrients of concern** – refer to those nutrients that when ingested above the maximum values are considered as risk factors associated with non-communicable diseases; these include but are not limited to sugars, sodium, saturated fats, total fats, and calories;

(p) **Nutrition claim** – means any representation which states, suggests or implies that a food has particular nutritional properties including but not

1 limited to the energy value and to the content of protein, fat and  
2 carbohydrates, as well as the content of vitamins and minerals. Provided,  
3 that (1) the mention of substances in the list of ingredients; (2) the mention  
4 of nutrients as a mandatory part of nutrition labelling; (3) quantitative or  
5 qualitative declaration of certain nutrients or ingredients on the label if  
6 required by national legislation do not constitute nutrition claims;

7 (q) **Prepackaged food product** – refers to any substance, which is intended  
8 for human consumption and includes non-alcoholic drinks for human  
9 beings, and chewing gum, resulting from the application of physical,  
10 chemical, or biological processes to a “primary food commodity”, that is  
11 prepared in advance and placed in a container, labelled and ready for sale  
12 or distribution, or for catering purposes;

13 (r) **Saturated fat** – refers to fatty acids that contain the maximum number of  
14 hydrogens possible, and no carbon-carbon double bonds. Saturated fats  
15 are classified as short chain (1-5 carbons), medium chain (6-12 carbons),  
16 and long chain (13-21 carbons) and very long chain (contains 22 and more  
17 carbons) according to the carbon chain length;

18 (s) **Sodium** – refers to a chemical element that exists naturally in food,  
19 associated with other molecular residues or atoms as an ionic bond, forming  
20 chemical salts. It is of great importance since it helps to maintain the water  
21 and base acid balance of any organism, constituting its most common  
22 compound, sodium chloride or what is usually called table salt. Likewise,  
23 there are other sodium salts that are of industrial origin, such as  
24 monosodium glutamate (flavor enhancer); benzoate, sodium acetate,  
25 sodium bicarbonate (acidity regulators and preservatives); sodium  
26 hydroxide, sodium carbonate (acidity regulator); sodium erythorbate  
27 (antioxidant), among others. One gram of 'table salt' contains 400mg of  
28 sodium (1 gram of sodium is equivalent to 2.5 grams of table salt);

29 (t) **Sponsorship** – means any form of contribution to any event, activity or  
30 individual with the aim, effect or likely effect of promoting a food or beverage  
31 product either directly or indirectly;

32 (u) **Sugar** – refers to all monosaccharides and disaccharides other than  
33 polyols. Most commonly regulated is “free sugar” which refers to  
34 monosaccharides and disaccharides added to food and beverages by the  
35 manufacturer, cook, and/or consumer plus sugars that are naturally present  
36 in honey, syrups and juices;

37 (v) **Sweetener** – refers to a substance, whether caloric or non-caloric,  
38 intentionally added to a food product to impart sweetness. Caloric  
39 sweetener refers to a substance that is sweet and includes sucrose,  
40 fructose, and glucose that produce a certain sweetness. Non-caloric

sweetener refers to a substance that is artificially or chemically processed that produces a certain sweetness. These are substances which can be directly added to beverages such as aspartame, sucralose, saccharin, acesulfame potassium, neotame, cyclamates and other non-nutritive sweeteners approved by the Codex Alimentarius and adopted by the FDA; and

(w) **Total fat** – refers to the total amount of fat in a food product. This includes the saturated fat, trans-fat, monounsaturated, and polyunsaturated fat in a food product.

## ARTICLE II. FRONT-OF-PACKAGE WARNING LABELS

**SEC. 5. Mandatory front-of-package warning labels (FOPWL).** – No person shall sell, manufacture, import, export, or distribute prepackaged food without a FOPWL as prescribed in this Act, when the final composition of the product contains nutrients of concern that exceed the maximum values prescribed under Section 8 of this Act.

**SEC. 6. Form, size, placement, and characteristics of the warning label.** – When the final composition of the prepackaged food product contains critical nutrients or calories in excess of the maximum values under Section 7 of this Act, the packaging shall display a warning label as prescribed by the FDA, in accordance with the following guidelines

- a. The packaging must include one warning label for each nutrient of concern in excess of prescribed values, namely:
  - i. “HIGH IN SUGAR”;
  - ii. “HIGH IN SODIUM”;
  - iii. “HIGH IN SATURATED FAT”;
  - iv. “HIGH IN TOTAL FAT”;
- b. If the product’s calories is in excess of the prescribed values, the package must include the following warning label:
  - i. “HIGH IN CALORIES”;
- c. If the product contains sweeteners, the package must include the following warning label:
  - i. “CONTAINS SWEETENERS, NOT RECOMMENDED FOR CHILDREN”;
- d. The warning label for (a) and (b) of this section shall have the form of black octagons with a white edge and capital letters;

- 1 e. The warning label for (c) of this section shall have the form of a black  
2 rectangle with a white edge and with capital letters;
- 3 f. The size of each warning label shall never be less than five percent (5%) of  
4 the total area of the main face of the packaging. For products in which the  
5 main face of the packaging is equal to or less than ten (10) square  
6 centimeters, it will contain a single octagon that will show inside of it how  
7 many nutrients of concern above the thresholds the product has. The  
8 warning label shall be fifteen (15%) of the total area of the front of the  
9 package;
- 10 g. The warning labels shall form part of the packaging and their full visibility  
11 and integrity must not be susceptible to being damaged, concealed,  
12 obstructed or changed by any package design, feature, or mechanism, or  
13 covered by any other markings;
- 14 h. The warning label must be located on the top right edge of the product's  
15 main face. If the shape of the product is round or cylindrical, it must be on  
16 the top center of the main face;
- 17 i. If the product has more than one warning label, they must be placed  
18 adjacent to each other on the product's main face; and
- 19 j. For packages with multiple products, the outer packaging, as well as each  
20 individual package inside must also include the warning label.

21 The provisions established in this Section shall be applied in addition to the  
22 existing rules and regulations governing the labeling of prepackaged food distributed  
23 in the Philippines.

24 **SEC. 7. Maximum values of nutrients of concern for prepackaged food. –**  
25 The Department of Health (DOH) shall develop or adopt a nutrient profile model (NPM)  
26 to determine the maximum values of energy, sugar, sodium, saturated fat, total fat,  
27 and other nutrients for prepackaged food. Pending the development of a local NPM, a  
28 conflict-free, evidence-based NPM recommended by the World Health Organization  
29 shall be used as the basis for such maximum values.

30 **SEC. 8. Prohibition against misleading claims, other promotional features**  
31 **in the packaging. –** It is absolutely prohibited for all prepackaged food required to  
32 have a warning label under Section 6 of this Act to contain:

- 33 a. Complementary nutritional information  
34 b. Logotypes or phrases stating the sponsorship or endorsements of scientific  
35 societies or civil associations or other relevant actors  
36 c. Any other health and nutrition claim; and

1 d. Any advertisement or promotional feature that qualifies as child-directed  
2 marketing as defined in this Act.

3 **SEC. 9. Misbranding.** – A violation under Sections 5, 6, or 8 of this Act shall  
4 render the product misbranded under Section 11 of Republic Act No. 3720 as  
5 amended by Republic Act No. 9711.

6 **SEC. 10. Prohibition against concealment or obstruction of warning**  
7 **labels.** – Prepackaged food products required to have a warning label under Section  
8 5 shall be displayed with the warning labels in full view for the consumers in retail  
9 stores. The concealment or obstruction of the warning labels in retail stores, whether  
10 partial or whole, is prohibited.

11 Any concealment or obstruction of view of warning labels herein shall be  
12 considered as a deceptive act or practice under Republic Act No. 7394 or the  
13 Consumer Act of the Philippines and is considered a prohibited act therein.

14 **SEC. 11. Exemptions.** – Prepackaged food for special therapeutic dietary uses  
15 that are formulated for a particular physiological condition or as partial replacement for  
16 meals, and culinary ingredients which typically consist of only one nutrient in high  
17 purity (such as cooking oils, table sugars, common table salt, etc.) shall follow their  
18 respective labeling requirements and shall be exempted from the obligation to  
19 incorporate FOPWL. Breastmilk substitutes shall likewise be exempted from this Act  
20 and shall follow the guidelines promulgated by Executive Order No. 51, series of 1986  
21 (the Philippine Milk Code), its implementing rules and regulations and other pertinent  
22 regulations.

23 **ARTICLE III. RESTRICTIONS ON THE MARKETING OF PREPACKAGED**  
24 **FOOD PRODUCTS REQUIRED TO HAVE A WARNING LABEL**

25 **SEC. 12. Minimizing the power of child-directed marketing.** –

26 a. It is absolutely prohibited to employ child-directed marketing or to initiate,  
27 produce, publish, broadcast, or disseminate any marketing that employs  
28 child-directed marketing techniques for all prepackaged food required to  
29 have a warning label under Section 5 of this Act. This prohibition includes,  
30 but is not limited to, such child-directed marketing in the following settings:

- 31 i. Television, broadcast radio and print media;
- 32 ii. Outdoor environments (such as billboards);
- 33 iii. Retail environments (such as vending machines, points-of-sale,  
34 groceries, supermarkets, retail stores, and malls);
- 35 iv. Public spaces (such as public transportation terminals, public utility  
36 vehicles, parks, schools, evacuation centers);
- 37 v. Digital media and e-commerce platforms, such as, but not limited to,  
38 social media platforms and mobile application platforms; and

1 vi. Public events (such as shows and activities, or in entertainment venues).

2 b. All persons who sell, manufacture, distribute, or import prepackaged food  
3 that are required to have a warning label herein are likewise prohibited from  
4 engaging in sponsorship as defined in this Act. This prohibition shall also  
5 apply to any person who receives or facilitates such sponsorship, including  
6 but not limited to, the media or event organizer, venue owner, team owner,  
7 sportsperson, celebrity, artist, or other performer.

8 c. The DOH, in coordination with the Council for the Welfare of Children  
9 (CWC), is hereby authorized to identify and regularly publish a schedule of  
10 forms, methods, and means of marketing that are considered child-directed  
11 marketing under this Act, and other similar and analogous appeals to child-  
12 directed marketing techniques for the guidance of relevant stakeholders.  
13 Omission from the list does not exempt any marketing activity from the  
14 scope of prohibited conduct, provided that it meets the criteria set out in this  
15 Act

16 **SEC. 13. Reducing exposure of children to the marketing of prepackaged**  
17 **food products required to have a warning label.** – It is absolutely prohibited to  
18 market prepackaged food products required to have a warning label under Section 5  
19 of this Act in the following settings:

20 a. In and within 250 meters from any point of the perimeter of child-centered  
21 settings;

22 b. Between 6:00 a.m. to 10:00 p.m. for all programs, commercials, and films  
23 shown in television with a rating other than SPG, in the case of television  
24 shows, or R-18, in the case of movies, by the Movie and Television Review  
25 and Classification Board (MTRCB); and

26 c. Between 6:00 a.m. to 10:00 p.m. for all programs and commercials  
27 broadcast on radio.

28 **SEC. 14. When communication is not considered marketing.** – The  
29 following exhaustive list of communications and actions shall not be considered  
30 marketing of prepackaged food products required to have a warning label under  
31 Section 5 of this Act even if likely to have an incidental promotional effect, provided  
32 they are reported to the DOH as required under Section 16 of this Act:

33 a. Display of brand name, product name, and/or manufacturer's name on  
34 prepackaged food product packaging, without any marketing features on  
35 the package;

- b. Dissemination or reporting of information on company practices that do not involve contributions to other parties, where required for necessary business administration or for mandated corporate reporting;
- c. Legitimate journalistic, artistic, or academic expression of food and beverage content and genuine social or political commentary, authored or created by named individuals engaged in journalism, art, or the academe, for which no payment or any other consideration is made by the food and beverage industry;
- d. Product information provided to entities within the food and beverage industry trade, with access only to persons/entities who need the information; and
- e. Manufacturers and distributors' newsletters destined for distribution within the food and beverage industry and related business partners.

**SEC. 15. *Protecting children from data processing.*** – The processing of personal data of children for the development of marketing of prepackaged food products required to have a warning label under Section 5 of this Act shall be prohibited.

Large digital platforms and search engines shall maintain and publicly disclose comprehensive marketing repositories, allowing scientific research, civil society and competent authorities to monitor all marketing sold on their service. These repositories shall include information such as the identity of the marketing buyer, the period in which the marketing material was displayed, the demographics of the target audience and information on how the marketing was viewed.

**SEC. 16. *Promoting transparency in food and beverage marketing.*** – In addition to any guidelines that the FDA may develop, all prepackaged food products required to have a warning label under Section 5 of this Act shall adhere to the following marketing guidelines:

- a. Prepackaged products featured in marketing materials must display the warning labels consistently with their appearance on the actual products, as specified under Section 6 of this Act;
- b. In all kinds of visual media, warning labels must be clearly visible, at all times, on the bottom right corner. The size of each warning label shall never be less than five percent (5%) of the total display area;
- c. For radio and auditory media, warnings should be communicated in a clear, prominent, and easily understandable manner.

Within two (2) years from the date of effectivity of this Act, large enterprises, as defined by the DTI, in the food and beverage industry shall submit an annual report to

1 the Lead Agency, copy furnishing the FDA-Center for Food Regulation Research  
2 (FDA-CFRR), detailing all expenditures relating to the marketing of prepackaged food  
3 products required to have a warning label under Section 5 of this Act. The Lead  
4 Agency shall prescribe the manner and form of such report and shall provide sanctions  
5 for non-compliance.

#### 6 **ARTICLE IV. IMPLEMENTATION**

7 **SEC. 17. *Lead Agency.*** – The DOH shall oversee and ensure the  
8 implementation of the provisions of this Act in coordination with the agencies that shall  
9 comprise the inter-agency task force in Section 18 of this Act, and shall have the power  
10 to issue other policies, rules, regulations, and standards for such implementation. In  
11 line with this mandate, the DOH shall convene and lead the inter-agency task force in  
12 Section 19 for the implementation of this Act.

13 **SEC. 18. *National Task Force for a Healthy Food Environment.*** – To ensure  
14 inter-agency coherence and consistency in the implementation of Articles II and III of  
15 this Act, a National Task Force (NTF) for a Healthy Food Environment is hereby  
16 created.

- 17 a. The NTF shall be composed of the following persons and/or heads of the  
18 following offices, to wit:

|                                                                 |                  |
|-----------------------------------------------------------------|------------------|
| Department of Health (DOH)                                      | Chairperson      |
| Food and Drug Administration (FDA)                              | Vice-Chairperson |
| National Nutrition Council (NNC)                                | Vice-Chairperson |
| Council for the Welfare of Children (CWC)                       | Member           |
| Department of Education (DepEd)                                 | Member           |
| Department of Trade and Industry (DTI)                          | Member           |
| Department of the Interior and Local<br>Government (DILG)       | Member           |
| Land Transportation Franchising and<br>Regulatory Board (LTFRB) | Member           |
| Early Childhood Care and Development<br>(ECCD) Council          | Member           |
| National Council for Children's Television<br>(NCCT)            | Member           |

- 19 b. The NTF shall:

- i. Coordinate and align programs, strategies, and activities to enforce the provisions of this Act, as applicable;
  - ii. Monitor and evaluate implementation of this Act;
  - iii. Develop and regularly implement a nationwide social and behavior change communication (SBCC) campaign to promote the consumption of healthy food and beverages, increase health and nutrition literacy among Filipinos, emphasize the risks of overconsuming foods that are high in fats, sodium, and sugar, and discourage the consumption of prepackaged food required to have a warning label; and
  - iv. Develop and implement programs and activities to build the capacity of the NTF members to fulfil their mandates and functions under this Act.
- c. The NTF may, as necessary, coordinate and collaborate with other government agencies, civil society and non-government organizations, and individual experts that have relevant mandates and/or expertise that may be useful to accomplish its functions under this Act, provided, that Sections 24 and 25 of this Act are strictly complied with.

**SEC. 19. Powers and functions of the members of the National Task Force for a Healthy Food Environment. –**

- a. The DOH shall:
  - i. Regularly convene the NTF as chairperson and coordinate with its members to develop and implement strategies and activities to enforce the provisions of this Act;
  - ii. Designate a member of the NTF to serve as the Secretariat;
  - iii. Regularly publish a schedule of forms, methods, and means of marketing that are considered child-directed marketing as defined under this Act, and other similar and analogous appeals to child-directed marketing technique;
  - iv. Coordinate with the FDA, ECCD Council, DTI, DepEd and LGUs, as applicable, to enforce the marketing prohibitions in and within 250 meters from any point of the perimeter of child-centered settings under Section 13(a) of this Act;
  - v. Identify other child-centered settings as defined under this Act, in coordination with the DepEd and ECCD Council;
  - vi. Develop guidelines to enforce the prohibitions under Section 13(a) of this Act, in coordination with the FDA and CWC;

1           vii. Develop and implement programs, strategies, and activities to promote  
2           healthy diets, in coordination with the DILG for local implementation  
3           under Section 20 of this Act and with the DepEd for implementation  
4           within schools;

5           viii. Implement SBCC strategies and activities to promote the consumption  
6           of healthy food and beverages among Filipinos pursuant to Section  
7           18(b)(iii) of this Act; and

8           ix. Oversee the development of programs and activities to build the capacity  
9           of the NTF members to fulfil their mandates and functions under this Act  
10          in accordance with Section 18, in coordination with the NTF members  
11          and other relevant stakeholders.

12        b. The FDA, through the Center for Food Regulation and Research shall:

13           i. Assist the DOH in convening the NTF, as vice chairperson;

14           ii. Enforce the prohibitions relating to warning labels under Section 5, 6, 8,  
15           and 9 of this Act;

16           iii. Develop guidelines to prescribe procedures and requirements for  
17           record-keeping of food and beverage manufacturers to comply with this  
18           Act;

19           iv. Enforce compliance with Sections 5, 6, 8, 12 and 16 of this Act;

20           v. Coordinate with the DOH to develop guidelines to enforce the  
21           prohibitions under Section 13(a) of this Act; and

22           vi. Implement SBCC strategies and activities to promote the consumption  
23           of healthy food and beverages among Filipinos pursuant to Section  
24           18(b)(iii) of this Act.

25        c. The CWC shall:

26           i. Assist the DOH in convening the NTF, as vice chairperson;

27           ii. Coordinate with the DOH to develop guidelines to enforce the  
28           prohibitions under Section 13(a) of this Act; and

29           iii. Implement SBCC strategies and activities to promote the consumption  
30           of healthy food and beverages among Filipinos pursuant to Section  
31           18(b)(iii) of this Act, especially for children.

32        d. The NNC shall:

33           i. Recommend improvements to the policy to strengthen implementation;

- 1           ii. Assist all members of the NTF in creating SBCC strategies and activities  
2           to promote the consumption of healthy food and beverages among  
3           Filipinos pursuant to Section 18(b)(iii) of this Act;
- 4           iii. Provide technical assistance in the development of SBCC strategies and  
5           activities to promote the consumption of healthy food and beverages  
6           among Filipinos pursuant to Section 18(b)(iii) of this Act, especially for  
7           children.
- 8       e. The DepEd shall:
- 9           i. Coordinate with schools and local government units to enforce the  
10          marketing prohibitions in and within 250 meters from any point of the  
11          perimeter of child-centered settings under Section 13(a) of this Act;
- 12          ii. Implement SBCC strategies and activities to promote the consumption  
13          of healthy food and beverages among Filipinos pursuant to Section  
14          18(b)(iii) of this Act, within schools, such as but not limited to developing  
15          curriculum materials on food marketing to children, as part of the media  
16          and information literacy subject, and FOPWL.
- 17       f. The DTI shall:
- 18          i. Enforce compliance with Section 10 of this Act;
- 19          ii. Enforce prohibitions against child-directed marketing through  
20          sponsorship under Section 12(b) of this Act, provided that when the  
21          violation occurs in and within 250 meters from any point of the perimeter  
22          of child-centered settings, Section 13 shall apply and be enforced by the  
23          FDA, ECCD, and LGUs, as applicable;
- 24          iii. Enforce the marketing prohibitions for retail environments under Section  
25          12(a)(iii) of this Act;
- 26          iv. Enforce the marketing prohibitions for digital and e-commerce platforms  
27          under Section 12(a)(v) of this Act;
- 28          v. Enforce the marketing prohibitions for broadcast radio under Section  
29          13(c) of this Act;
- 30          vi. Support LGUs to enact and implement ordinances or executive orders  
31          under Section 20 of this Act.
- 32       g. The DILG shall:
- 33          i. Support LGUs to enact and implement ordinances or executive orders  
34          under Section 20 of this Act;
- 35       h. The LTFRB shall:

1 i. Enforce prohibitions against child-directed marketing under Section  
2 12(a)(iv) of this Act in public utility vehicles;

3 i. The ECCD Council shall:

4 i. Enforce the marketing prohibitions in and within 250 meters from any  
5 point of the perimeter of child-centered settings under Section 13(a) of  
6 this Act, in coordination with the DOH;

7 ii. Coordinate with the DOH for the identification of other child-centered  
8 settings as defined under this Act; and

9 j. The NCCT shall:

10 i. Set standards for child-friendly television programming, and can work  
11 with broadcasters and relevant agencies to promote child-sensitive  
12 media and encourage compliance with the marketing prohibitions for  
13 broadcast television under Section 13(b) of this Act.

14 **SEC. 20. Local Implementation. –**

15 a. LGUs shall establish mechanisms to enforce the provisions under Sections  
16 5, 6, 8, 12, and 13(a) of this Act within their jurisdictions and shall impose  
17 penalties for violations thereof. For this purpose, local health boards (LHBs)  
18 and local councils for the protection of children (LCPCs) shall regularly  
19 monitor the compliance of LGUs with the provisions of this Act;

20 b. All LGUs are enjoined to form Local Task Forces (LTF) for Healthy Food  
21 Marketing Environment to implement the provisions of this Act, and shall  
22 mobilize local law enforcement to apprehend violators of this Act and to  
23 institute the appropriate penalties proceedings therefor. Such task forces  
24 shall be led by a local office with expertise on childhood nutrition and/or  
25 health promotion, and shall include youth and civil society representation,  
26 which representation shall strictly comply with Sections 24 and 25 of this  
27 Act. The LTF shall submit reports to the NTF of any prohibited marketing  
28 herein denied, removed, disabled, or acted upon, as well as complaints  
29 received from individuals or organizations, annually beginning from the  
30 implementation of this Act;

31 c. LGUs may mobilize the Special Health Fund under Republic Act No. 11223  
32 or the Universal Healthcare Act, among other resources available, to  
33 implement local projects, programs, and activities consistent with this Act.

34 **SEC. 21. Role of the Ad Standards Council (ASC) and other entities. –**

35 a. The ASC shall revise its standards, guidelines, codes of ethics, and other  
36 rules and regulations in compliance with the provisions of this Act, no later  
37 than one (1) year from its effectivity;

b. Without prejudice to other provisions of this Act, all entities involved in the marketing chain, whether analog or digital, including digital media or e-commerce platforms shall:

i. Monitor and remove or disable any prohibited marketing upon notice by the NTF that a violation of this Act may have occurred;

ii. Establish an effective process and mechanism to receive and act on complaints from individuals and organizations for violations of this Act as may be required by NTF, and report to the NTF actions taken on said complaints; and

iii. Preserve relevant documents, websites, webpages, upon request of the NTF.

**SEC. 22 *Inspection powers and record keeping.*** – The FDA through its registered agents shall have the power to inspect the premises and records of manufacturers and distributors to determine compliance with the provisions of Sections 5, 6, 8, and 9 of this Act. The FDA shall develop guidelines to prescribe procedures and requirements for record-keeping.

**SEC. 23. *Compliance by micro, small, and medium enterprises (MSMEs).***  
– The DTI, in coordination with other relevant government agencies and stakeholders, shall develop and implement programs to assist micro, small, and medium-sized food business operators of prepackaged food covered by this Act.

## **ARTICLE V. PENALTIES**

**SEC. 24. *Penalties.*** – The following penalties shall be imposed for each violation of the prohibitions in this Act:

a. For violations of Sections 5, 6, 8, 9, 12, and 13 of this Act, the following penalties shall be imposed:

| OFFENDER                                                                  | FIRST OFFENSE                                                                                                       | SECOND OFFENSE                                                                                              | THIRD OFFENSE                                                                                                                       |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Large Enterprise                                                          | Fine of not less than five hundred thousand pesos (Php 500,000) but not more than one million pesos (Php 1,000,000) | Fine of not less than one million pesos (Php1,000,000) but not more than five million pesos (Php 5,000,000) | Fine of not less than five million pesos (Php5,000,000) but not more than ten million pesos (Php 10,000,000)                        |
| MSMEs or any other enterprise not considered as a large enterprise by DTI | Fine of not less than five thousand pesos (Php 5,000) but not more than ten thousand pesos (Php 10,000)             | Fine of not less than ten thousand pesos (Php 10,000) but not more than twenty thousand pesos (Php 20,000)  | Fine of not less than twenty thousand pesos (Php 20,000) but not more than fifty thousand pesos (Php 50,000) for the third offense. |

|                |                                                    |                                                                                                          |                                                                                                                                                                                                   |
|----------------|----------------------------------------------------|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Natural Person | Fine of not more than five thousand pesos (P5,000) | Fine of not less than five thousand pesos (Php 50,000) but not more than ten thousand pesos (Php 10,000) | Fine of not less than ten thousand pesos (Php 10,000) but not more than twenty thousand pesos (Php 10,000) or imprisonment of not more than one (1) year, or both, at the discretion of the court |
|----------------|----------------------------------------------------|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

b. An additional fine of one percent (1%) of the economic value or cost of the violative product or one thousand pesos (P1,000), whichever is higher, shall be imposed for each day of the continuing violation.

c. A fine of not less than one thousand pesos (Php 1,000) nor more than one hundred fifty thousand pesos (P150,000.00), plus the additional fine of not more than one thousand pesos (Php 1,000) for each day of continuing violation shall be imposed against any trader, retailer and/or their agent, found to have committed the prohibited act under Section 11 of this Act.

The penalties imposed in this Section shall be without prejudice to other remedies or penalties and sanctions that are available or may be imposed by law. No person shall be subject to the penalties under this Section for having sold, offered for sale, or transferred prepackaged food products that are not compliant with the provisions of Sections 5, 6, or 8 of this Act, if such sale, distribution or transfer, was made in good faith. A sale, distribution, or transfer is presumed to be made in good faith if the seller or distributor has obtained, in writing, a guaranty from the person or food business operator from whom the prepackaged food were obtained, that said prepackaged food are not covered by the requirements under Sections 5 and 6 of this Act

**SEC. 25. Other corrective actions.** – In addition to the fines and penalties in Section 24, the following corrective actions, if not initiated by the offenders themselves, shall be imposed by the appropriate authorities to the offenders:

a. Seizure and condemnation, destruction, recall, and/or appropriate disposition of prepackaged food products that are considered misbranded under Section 9 of this Act, or items that constitute prohibited marketing under Sections 8(d), 12 or 13 of this Act;

b. The issuance of a Cease and Desist Order (CDO) which shall specify that the trader or retailer and/or their agents shall cease and desist from concealment or obstruction of view of warning labels under Section 10 of this Act and that they shall be required to submit a report of compliance therewith within a reasonable time;

c. A submission of a voluntary assurance of discontinuance of concealment or obstruction of warning labels under Section 10 of this Act;

- d. Issuance of take-down orders against prohibited advertising, promotion, and sponsorship content under Sections 12 or 13 of this Act;
- e. Suspension, revocation, or cancellation of applicable licenses, registrations, and permits to operate for business establishments and operators or drivers of public utility vehicles; including the submission of a recommendation to the LGU concerned, through proper channels, for the cancellation or suspension of licenses, registrations, and permits;
- f. The withholding of any permit, license, authority, or registration pending from the appropriate agency or entity;
- g. Disapproval of an application for the issuance or renewal of a Certificate of Product Registration (CPR) by the FDA, including suspension, revocation, or cancellation of an existing CPR, for prepackaged food products that are considered misbranded under Section 8 of this Act;
- h. Closure of the establishment by LGUs having jurisdiction over premises where a violation of this Act has been committed; and
- i. Censure.

## **ARTICLE VI. FINAL PROVISIONS**

**SEC. 26. *Healthy Food Environment Trust Fund.*** – A Healthy Food Environment Trust Fund is hereby created. All fines collected pursuant to the enforcement of this Act shall be used exclusively for its implementation and to fund other measures to promote a healthy food environment. The DOH shall be responsible for the management and control of the Trust Fund.

**SEC. 27. *Compliance monitoring.*** – Not later than three (3) years after the date of the effectivity of this Act, and annually thereafter, the DOH shall submit to the President of the Philippines and to both Houses of Congress a monitoring report on the compliance of the food and beverage industry with this Act and all related laws, rules, regulations, and ordinances. All reports required under this Act shall be made available to the public primarily via the DOH website and other means to readily access such information.

All members of the NTF are required to submit an annual report of their accomplishments to the DOH. The DOH is hereby authorized to report to Congress any instance of delay or non-compliance by the national agencies and LGUs herein of the timelines in implementing this Act. The DOH is also authorized to demand accountability from such agencies or LGUs for failure to fulfill its duties under this Act, without prejudice to other remedies or penalties and sanctions that are available or may be imposed by law for such delay or non-compliance.

1       **SEC. 28. *Impact assessment.*** – The DOH shall conduct an impact  
2 assessment every three (3) years to evaluate the effectiveness of the enforcement of  
3 this Act, health, behavioral, and social outcomes, and other matters relevant to  
4 implementation of this Act. The DOH shall include in its budget the conduct of the  
5 assessment.

6       **SEC. 29. *Implementing rules and regulations (IRR).*** – The DOH, in  
7 consultation with the members of the NTF in Section 18, shall promulgate such rules  
8 and regulations necessary for the effective implementation of this Act within six (6)  
9 months from the date of publication of this Act. The IRR shall cover, among others,  
10 the phases of implementation, provided that, non-issuance of the IRR shall not prevent  
11 the implementing agencies from enforcing this Act upon its effectivity.

12       **SEC. 30. *Transitory provision.*** – Existing industries, businesses,  
13 manufacturers, distributors, and other stakeholders affected by the implementation of  
14 this Act shall be given six (6) months from the effectivity of this Act to comply with its  
15 requirements.

16       **SEC. 31. *Appropriations.*** – The amount necessary to implement the  
17 provisions of this Act shall be charged against the current year's appropriations of the  
18 concerned national government agencies. Thereafter, such funds as may be  
19 necessary for the continued implementation of this Act shall be included in the budgets  
20 of the concerned national government agencies under the annual General  
21 Appropriations Act.

22       **SEC. 32. *Repealing clause.*** – All laws, decrees, ordinances, administrative  
23 orders, rules and regulations, or any part thereof, which are inconsistent with this Act  
24 are repealed or amended accordingly.

25       **SEC. 33. *Separability clause.*** – Should any provision of this Act be  
26 subsequently declared unconstitutional, the other provisions not so declared shall  
27 remain in full force and effect.

28       **SEC. 34. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
29 publication in the Official Gazette or in a newspaper of general circulation .

30       Approved,