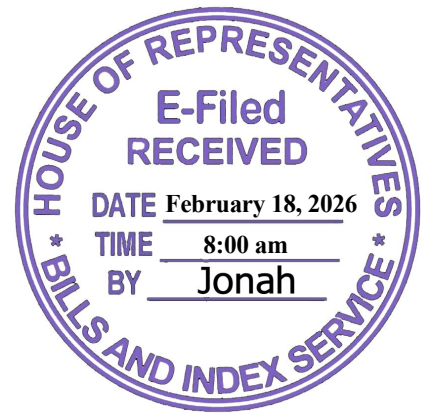


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7831



Introduced by Representative Ann Matibag

**AN ACT PROHIBITING THE SALE AND MARKETING OF UNHEALTHY FOODS
SUCH AS SUGAR-SWEETENED BEVERAGES AND JUNK FOODS WITHIN
ONE HUNDRED (100) METERS OF PUBLIC AND PRIVATE SCHOOLS, AND
PROVIDING PENALTIES THEREFOR**

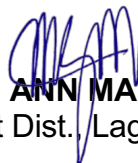
EXPLANATORY NOTE

According to the Expanded National Nutrition Survey of 2019, 9.1% of children aged 5-10 and 9.8% of children aged 10-19 are overweight. The number of overweight adolescents has tripled within 15 years from 2004 to 2019. The Department of Health recognizes that there is a growing problem of overweight and obesity among Filipino children. Part of the problem lies in their access to unhealthy foods.

Department of Education Order No. 13, Series of 2017 prohibits the sale of unhealthy foods within school canteens. However, the order does not control food sold outside of schools. School children are able to easily access unhealthy foods right outside their school premises, which negates whatever regulation happens within the schools. These food outlets are already covered by police power, which is exercised by the legislative branch of government. As such, laws and ordinances are necessary in order to regulate foods sold in these settings.

This bill seeks to restrict access of children to unhealthy foods and help prevent overweight and obesity by prohibiting the sale and marketing of unhealthy foods within one hundred meters of school premises.

Considering the rationale stated above, passage of this bill is earnestly sought.


MA. ANN MATIBAG
First Dist. / Laguna

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

SECTION 1. *Short Title.* – This Act shall be known and cited as the “*Anti-Unhealthy Foods in Schools Act.*”

SEC. 2. *Scope* – This Act shall cover all public and private preparatory, elementary, and junior and senior high schools in the Philippines.

SEC. 3. *Definition of Terms.* – As used in this Act, the following terms shall mean:

- (a) “Premises” includes inside the school, and outside of the school within 100 meters of its perimeter;
- (b) “Perimeter” means the fence or boundary of the school;
- (c) “Preparatory school” includes day care, nursery, kindergarten, and other equivalent school levels;
- (d) “Unhealthy food” refers to foods low in nutritional content and high in calories, salt, and fats; and
- (e) “Sugary Drinks” refer to any beverage with added sugar or other sweeteners (high fructose corn syrup, sucrose, fruit juice concentrates, and more).

SEC. 4. *Prohibited Acts.* – It shall be unlawful to sell, promote, market, or advertise unhealthy foods or junk foods and sugary drinks within one hundred (100) meters of school premises in all public and private preparatory, elementary, and junior and senior high schools. For the

purpose of this Act, the Department of Education shall identify through its Implementing Rules and Regulations which foods and beverages are to be prohibited.

A grace period of ninety (90) days after the Implementing Rules and Regulations of this Act have been issued shall be given to all food establishments selling food near school premises.

SEC. 5. *Penalties.* - All violations of the previous section shall be punishable as follows:

First offense – Fine of Php 1,000.00

Second offense – Fine of Php2,000.00

Third offense – Fine of Php 3,000.00

Fourth and succeeding offenses – Fine of Php 4,000.00 and grounds for closure or abeyance as public nuisance in accordance with the Civil Code of the Philippines.

SEC. 6. *Appropriation.* – The amount necessary for the implementation of the provisions of this Act shall be taken from the current year's budget of the Department of Education. Thereafter, such sums as may be necessary for the continued implementation of the Act shall be incorporated in the annual General Appropriations Act.

SEC. 7. *Implementing Rules and Regulations.* – The Department of Education shall promulgate the rules and regulations implementing the provisions of this Act within ninety (90) days from its effectivity.

SEC. 8. *Separability Clause.* – If for any reason, any part or provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 9. *Repealing Clause.* – All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of national circulation.

Approved,