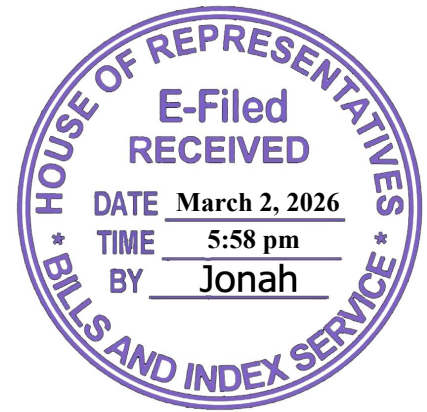




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8232



Introduced by **Representative EDUARDO R. RAMA JR.**

EXPLANATORY NOTE

In 2023, the Department of Science and Technology - Food and Nutrition Research Institute (DOST-FNRI) conducted a survey to determine whether Filipinos check their food labels before buying. The survey revealed that only 19.6 percent (%) or about 1 in 10 of Pinoy consumers read food product labels, while only 16.7% of them only check the expiration date and nutrition facts before buying.¹

Compounding this issue, Filipino children face excessive exposure to television food advertisements during school and non-school days, where content analyses from various countries show unhealthy options like sugary and sodium-rich snacks, drinks, and fast food dominating promotions.² Evidently, food marketing tends to aim at children creating a toxic food environment where the cheapest and most visible products on store shelves are often the least nutritious. Time - and budget-constrained parents thus rely on misleading labels, giving food companies undue influence over children's diets rather than health experts.³

It is the declared policy of the State to protect and promote the people's right to health. The pervasive marketing of unhealthy foods to children demands regulatory measures to curb their

¹ DOST-FNRI S&T Media Service: Media Release. *Read Food Labels: Know what you buy and eat*. (08 August 2023). <https://www.facebook.com/DOST.FNRI/posts/only-few-pinoy-consumers-check-food-labels-before-buying-dostfnrionly-196-percen/615099634141847/>

² Borazon, et.al. (2021). Children's exposure to unhealthy food advertising on Philippine television: content analysis of marketing strategies and temporal patterns. <https://pmc.ncbi.nlm.nih.gov/articles/PMC11583323/>.

³ Peradilla (2025). What's really in our children's food? Behind the labels and the policies shaping young diets in the Philippines. <https://www.unicef.org/philippines/stories/whats-really-our-childrens-food>

frequency and impact. Thus, through this legislation, the government can now further strengthen its mandate in requiring front -of-pack food warning labels, as this would empower all Filipinos, especially vulnerable children, to make informed choices and shield future generations from the long-term effects of unhealthy diets.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

A stylized, handwritten signature in black ink, consisting of a large, sweeping loop followed by a horizontal line.

REP. EDUARDO R. RAMA, JR.

2nd District, City of Cebu



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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8232

Introduced by **Representative EDUARDO R. RAMA JR.**

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 the House of Representatives of the Philippines in Congress assembled:

ARTICLE I.
GENERAL PROVISIONS

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

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

8 The State therefore recognizes the need to enable all Filipinos to make informed food
9 choices and avoid food and beverages that are harmful to one’s health, in line with its policy to
10 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.

SECTION 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.

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

SECTION 4. Definition of Terms.- As used in this Act, the following shall be defined as follows:

- a) Breastmilk substitutes – refers to any food being marketed or otherwise represented as a partial or total replacement for breastmilk, whether or not suitable for that purpose;
- b) Calories – refer to the unit of measurement used to determine the amount of energy that a food provides;
- c) Child – refers to persons below eighteen (18) years of age, or any person eighteen (18) years of age or over but who are unable to fully take care of themselves or protect themselves because of a physical or mental disability or condition;
- d) Child-directed marketing – refers to all marketing targeted to or to which children are exposed to, which includes, but is not limited to, marketing that uses: images, sounds or language designed to appeal to children such as cartoon characters, personalities or celebrities that target or address children in their content (licensed or unlicensed), children actors or voices, or references to school or play; toys or book giveaways, competitions or promotional giveaways, buy-one-take one, discounts, and pricing bundle strategies; themes designed to attract children (e.g. fantasy or adventure); games or activities that are likely to be popular with children; or other similar or analogous appeals. Child-directed marketing also includes marketing that is directed to a parent (or another adult) where the end-consumer is a child;
- e) Child-centered settings – refers to any location that is frequented by families and children because of activities, attractions, or infrastructure targeted or directed to children, including

1 but not limited to schools, educational establishments, learning institutions, playgrounds,
2 amusement parks, or other service centers or places frequented by families and children,
3 and other similar and analogous settings;

4 f) Complementary nutritional information – refers to any information that may state, suggest,
5 or imply that a food or beverage possesses particular nutritional or health properties,
6 especially, but not limited to its energy value, protein, fat, carbohydrates, dietary fiber
7 content, critical nutrients, vitamins, minerals, including assertions of fortification;

8 g) Educational establishment – refers to any establishment, including but not limited to
9 schools, learning institutions, play schools, sports camps, youth development facilities, and
10 other places, where a child as defined in this Act engages in activities that contribute to
11 their overall growth and development through any means of instruction;

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

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

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

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

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

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

- 1 n) Nutrient Profile Model – refers to a tool used to classify or rank foods according to their
2 nutritional composition for reasons related to the prevention of disease and the promotion
3 of health;
- 4 o) Nutrients of concern – refer to those nutrients that when ingested above the maximum
5 values are considered as risk factors associated with non- communicable diseases; these
6 include but are not limited to sugars, sodium, saturated fats, total fats, and calories;
- 7 p) Nutrition claim – means any representation which states, suggests or implies that a food
8 has particular nutritional properties including but not limited to the energy value and to
9 the content of protein, fat and carbohydrates, as well as the content of vitamins and
10 minerals. *Provided*, that (1) the mention of substances in the list of ingredients; (2) the
11 mention of nutrients as a mandatory part of nutrition labelling; (3) quantitative or
12 qualitative declaration of certain nutrients or ingredients on the label if required by national
13 legislation do not constitute nutrition claims;
- 14 q) Prepackaged food product – refers to any substance, which is intended for human
15 consumption and includes non-alcoholic drinks for human beings, and chewing gum,
16 resulting from the application of physical, chemical, or biological processes to a “primary
17 food commodity”, that is prepared in advance and placed in a container, labelled and ready
18 for sale or distribution, or for catering purposes;
- 19 r) Saturated fat – refers to fatty acids that contain the maximum number of hydrogens
20 possible, and no carbon -carbon double bonds. Saturated fats are classified as short chain
21 (1-5 carbons), medium chain (6-12 carbons), and long chain (13-21 carbons) and very long
22 chain (contains 22 and more carbons) according to the carbon chain length;
- 23 s) Sodium – refers to a chemical element that exists naturally in food, associated with other
24 molecular residues or atoms as an ionic bond, forming chemical salts. It is of great
25 importance since it helps to maintain the water and base acid balance of any organism,
26 constituting its most common compound, sodium chloride or what is usually called table
27 salt. Likewise, there are other sodium salts that are of industrial origin, such as
28 monosodium glutamate (flavor enhancer); benzoate, sodium acetate, sodium bicarbonate
29 (acidity regulators and preservatives); sodium hydroxide, sodium carbonate
30 (acidity regulator); sodium erythorbate (antioxidant), among others. One gram of 'table
31 salt' contains 400mg of sodium (1 gram of sodium is equivalent to 2.5 grams of table salt);
- 32 t) Sponsorship – means any form of contribution to any event, activity or individual with the
33 aim, effect or likely effect of promoting a food or beverage product either directly or
34 indirectly;

- 1 u) Sugar – refers to all monosaccharides and disaccharides other than polyols. Most
2 commonly regulated is “free sugar” which refers to monosaccharides and disaccharides
3 added to food and beverages by the manufacturer, cook, and/or consumer plus sugars that
4 are naturally present in honey, syrups and juices;
- 5 v) Sweetener – refers to a substance, whether caloric or non-caloric, intentionally added to a
6 food product to impart sweetness. Caloric sweetener refers to a substance that is sweet
7 and includes sucrose, fructose, and glucose that produce a certain sweetness. Non -caloric
8 sweetener refers to a substance that is artificially or chemically processed that produces a
9 certain sweetness. These are substances which can be directly added to beverages such as
10 aspartame, sucralose, saccharin, acesulfame potassium, neotame, cyclamates and other
11 non-nutritive sweeteners approved by the Codex Alimentarius and adopted by the FDA;
- 12 w) Total fat – refers to the total amount of fat in a food product. This includes the saturated
13 fat, trans-fat, monounsaturated, and polyunsaturated fat in a food product.

14 **ARTICLE II.**

15 **FRONT-OF-PACKAGE WARNING LABELS**

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

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

- 24 a) The packaging must include one warning label for each nutrient of concern in excess of
25 prescribed values, namely:
- 26 “HIGH IN SUGAR”;
- 27 “HIGH IN SODIUM”;
- 28 “HIGH IN SATURATED FAT”;
- 29 “HIGH IN TOTAL FAT”;
- 30 b) If the product’s calories is in excess of the prescribed values, the package must include
31 the following warning label:

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

23 The provisions established in this Section shall be applied in addition to the existing rules

24 and regulations governing the labeling of prepackaged food distributed in the Philippines.

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

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

- a. Complementary nutritional information
- b. Logotypes or phrases stating the sponsorship or endorsements of scientific societies or civil associations or other relevant actors
- c. Any other health and nutrition claim; and
- d. Any advertisement or promotional feature that qualifies as child-directed marketing as defined in this Act.

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

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

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

SECTION 11. *Exemptions.*- Prepackaged food for special therapeutic dietary uses that are formulated for a particular physiological condition or as partial replacement for meals, and culinary ingredients which typically consist of only one nutrient in high purity (such as cooking oils, table sugars, common table salt, etc.) shall follow their respective labeling requirements

1 and shall be exempted from the obligation to incorporate FOPWL. Breastmilk substitutes shall
2 likewise be exempted from this Act and shall follow the guidelines promulgated by Executive
3 Order No. 51, series of 1986 (the Philippine Milk Code), its implementing rules and regulations
4 and other pertinent regulations.

5 **ARTICLE III.**
6 **RESTRICTIONS ON THE MARKETING OF PREPACKAGED FOOD**
7 **PRODUCTS REQUIRED TO HAVE A WARNING LABEL**

8 **SECTION 12. *Minimizing the power of child-directed marketing.***

- 9 a) It is absolutely prohibited to employ child-directed marketing or to initiate, produce,
10 publish, broadcast, or disseminate any marketing that employs child-directed
11 marketing techniques for all prepackaged food required to have a warning label under
12 Section 5 of this Act. This prohibition includes, but is not limited to, such child-
13 directed marketing in the following settings:
- 14 i. Television, broadcast radio and print media;
 - 15 ii. Outdoor environments (such as billboards);
 - 16 iii. Retail environments (such as vending machines, points-of-sale,
17 groceries, supermarkets, retail stores, and malls);
 - 18 iv. Public spaces (such as public transportation terminals, public utility vehicles,
19 parks, schools, evacuation centers);
 - 20 v. Digital media and e-commerce platforms, such as, but not limited to, social
21 media platforms and mobile application platforms; and
 - 22 vi. Public events (such as shows and activities, or in entertainment venues).
- 23 b) All persons who sell, manufacture, distribute, or import prepackaged food that are
24 required to have a warning label herein are likewise prohibited from engaging in
25 sponsorship as defined in this Act. This prohibition shall also apply to any person who
26 receives or facilitates such sponsorship, including but not limited to, the media or event
27 organizer, venue owner, team owner, sportsperson, celebrity, artist, or other
28 performer. The DOH, in coordination with the Council for the Welfare of Children
29 (CWC), is hereby authorized to identify and regularly publish a schedule of forms,
30 methods, and means of marketing that are considered child-directed marketing under
31 this Act, and other similar and analogous appeals to child- directed marketing

1 techniques for the guidance of relevant stakeholders. Omission from the list does not
2 exempt any marketing activity from the scope of prohibited conduct, provided that it
3 meets the criteria set out in this Act

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

11 **SECTION 13. *Reducing exposure of children to the marketing of prepackaged food***
12 ***products required to have a warning label.***- It is absolutely prohibited to market prepackaged food
13 products required to have a warning label under Section 5 of this Act in the following settings:
14

- 15 a. In and within 250 meters from any point of the perimeter of child-centered
16 settings;
17 b. Between 6:00 a.m. to 10:00 p.m. for all programs, commercials, and films shown
18 in television with a rating other than SPG, in the case of television shows, or R-
19 18, in the case of movies, by the Movie and Television Review and Classification
20 Board (MTRCB); and
21
22 c. Between 6:00 a.m. to 10:00 p.m. for all programs and commercials broadcast on
23 radio.
24

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

- 31 a) Display of brand name, product name, and/or manufacturer's name on prepackaged food
32 product packaging, without any marketing features on the package;
33
34 b) Dissemination or reporting of information on company practices that do not involve
35 contributions to other parties, where required for necessary business administration or
36 for mandated corporate reporting;
37
38 c) Legitimate journalistic, artistic, or academic expression of food and beverage content and
39 genuine social or political commentary, authored or created by named individuals engaged

1 in journalism, art, or the academe, for which no payment or any other consideration is
2 made by the food and beverage industry;

3
4 d) Product information provided to entities within the food and beverage industry trade, with
5 access only to persons/entities who need the information; and

6
7 e) Manufacturers and distributors' newsletters destined for distribution within the food and
8 beverage industry and related business partners.

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

12
13 Large digital platforms and search engines shall maintain and publicly disclose comprehensive
14 marketing repositories, allowing scientific research, civil society and competent authorities to
15 monitor all marketing sold on their service. These repositories shall include information such as
16 the identity of the marketing buyer, the period in which the marketing material was displayed, the
17 demographics of the target audience and information on how the marketing was viewed.

18
19 **SECTION. 16. *Promoting transparency in food and beverage marketing.*** – In addition
20 to any guidelines that the FDA may develop, all prepackaged food products required to have a
21 warning label under Section 5 of this Act shall adhere to the following marketing guidelines:

22 a) Prepackaged products featured in marketing materials must display the warning labels
23 consistently with their appearance on the actual products, as specified under Section 6 of
24 this Act;

25 b) In all kinds of visual media, warning labels must be clearly visible, at all times, on the
26 bottom right corner. The size of each warning label shall never be less than five percent
27 (5%) of the total display area;

28 c) For radio and auditory media, warnings should be communicated in a clear, prominent,
29 and easily understandable manner.

30 Within two (2) years from the date of effectivity of this Act, large enterprises, as defined by the
31 DTI, in the food and beverage industry shall submit an annual report to the Lead Agency, copy
32 furnishing the FDA-Center for Food Regulation Research (FDA-CFRR), detailing all expenditures
33 relating to the marketing of prepackaged food products required to have a warning label under
34 Section 5 of this Act. The Lead Agency shall prescribe the manner and form of such report and
35 shall provide sanctions for non-compliance.

ARTICLE IV. IMPLEMENTATION

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

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

- a) The NTF shall be composed of the following persons and/or heads of the 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 Government	Member
Land Transportation Franchising and Regulatory Board (LTFRB)	Member
Early Childhood Care and Development (ECCD) Council	Member
National Council for Children's Television (NCCT)	Member

- b. The NTF shall: Coordinate and align programs, strategies, and activities to enforce the provisions of this Act, as applicable;

- i. Monitor and evaluate implementation of this Act;

- ii. 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
- iii. Develop and implement programs and activities to build the capacity of the NTF members to fulfil their mandates and functions under this Act.
- iv. 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.

SECTION. 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;
 - vii. Develop and implement programs, strategies, and activities to promote healthy diets, in coordination with the DILG for local implementation under Section 20 of this Act and with the DepEd for implementation within schools;
 - viii. Implement SBCC strategies and activities to promote the consumption of healthy food and beverages among Filipinos pursuant to Section 18(b)(iii) of this Act; and

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

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

- i. Assist the DOH in convening the NTF, as vice chairperson;
- ii. Enforce the prohibitions relating to warning labels under Section 5, 6, 8, 15 and 9 of this Act;
- iii. Develop guidelines to prescribe procedures and requirements for record-keeping of food and beverage manufacturers to comply with this Act;
- iv. Enforce compliance with Sections 5, 6, 8, 12 and 16 of this Act;
- v. Coordinate with the DOH to develop guidelines to enforce the prohibitions under Section 13(a) of this Act; and
- vi. Implement SBCC strategies and activities to promote the consumption of healthy food and beverages among Filipinos pursuant to Section 18(b)(iii) of this Act.

c) The CWC shall:

- i. Assist the DOH in convening the NTF, as vice chairperson;
- ii. Coordinate with the DOH to develop guidelines to enforce the prohibitions under Section 13(a) of this Act; and
- iii. Implement SBCC strategies and activities to promote the consumption of healthy food and beverages among Filipinos pursuant to Section 18(b)(iii) of this Act, especially for children.

d) The NNC shall:

- i. Recommend improvements to the policy to strengthen implementation;
- ii. Assist all members of the NTF in creating SBCC strategies and activities to promote the consumption of healthy food and beverages among Filipinos pursuant to Section 18(b)(iii) of this Act;
- iii. Provide technical assistance in the development of SBCC strategies and activities to promote the consumption of healthy food and beverages among Filipinos pursuant to Section 18(b)(iii) of this Act, especially for children.

1 e) The DepEd shall:

- 2 i. Coordinate with schools and local government units to enforce the marketing
3 prohibitions in and within 250 meters from any point of the perimeter of child-centered
4 settings under Section 13(a) of this Act;
- 5 ii. Implement SBCC strategies and activities to promote the consumption of healthy food
6 and beverages among Filipinos pursuant to Section 18(b)(iii) of this Act, within schools,
7 such as but not limited to developing curriculum materials on food marketing to
8 children, as part of the media and information literacy subject, and FOPWL.

9
10 f) The DTI shall:

- 11 i. Enforce compliance with Section 10 of this Act;
- 12 ii. Enforce prohibitions against child-directed marketing through
13 sponsorship under Section 12(b) of this Act, provided that when the violation occurs in
14 and within 250 meters from any point of the perimeter of child-centered settings, Section
15 13 shall apply and be enforced by the FDA, ECCD, and LGUs, as applicable;
- 16 iii. Enforce the marketing prohibitions for retail environments under Section 12(a)(iii) of
17 this Act;
- 18 iv. Enforce the marketing prohibitions for digital and e-commerce platforms under Section
19 12(a)(v) of this Act;
- 20 v. Enforce the marketing prohibitions for broadcast radio under Section 13(c) of this Act;
- 21 vi. Support LGUs to enact and implement ordinances or executive orders under Section 20
22 of this Act.

23
24 g) The DILG shall:

- 25 i. Support LGUs to enact and implement ordinances or executive orders under Section 20
26 of this Act;

27
28 h) The LTFRB shall:

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

- 1 i) The ECCD Council shall:
- 2 i. Enforce the marketing prohibitions in and within 250 meters from any point of the
- 3 perimeter of child-centered settings under Section 13(a) of this Act, in coordination with
- 4 the DOH;
- 5 ii. Coordinate with the DOH for the identification of other child-centered settings as
- 6 defined under this Act; and

- 7
- 8 j) The NCCT shall:
- 9 i. Set standards for child-friendly television programming, and can work with
- 10 broadcasters and relevant agencies to promote child-sensitive media and encourage
- 11 compliance with the marketing prohibitions for broadcast television under Section
- 12 13(b) of this Act.

13

14 **SECTION. 20. *Local Implementation.* –**

- 15 a) LGUs shall establish mechanisms to enforce the provisions under Sections 5, 6, 8, 12, and
- 16 13(a) of this Act within their jurisdictions and shall impose penalties for violations thereof.
- 17 For this purpose, local health boards (LHBs) and local councils for the protection of
- 18 children (LCPCs) shall regularly monitor the compliance of LGUs with the provisions of
- 19 this Act;
- 20
- 21 b) All LGUs are enjoined to form Local Task Forces (LTF) for Healthy Food Marketing
- 22 Environment to implement the provisions of this Act, and shall mobilize local law
- 23 enforcement to apprehend violators of this Act and to institute the appropriate penalties
- 24 proceedings therefor. Such task forces shall be led by a local office with expertise on
- 25 childhood nutrition and/or health promotion, and shall include youth and civil society
- 26 representation, 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 herein denied,
- 28 removed, disabled, or acted upon, as well as complaints received from individuals or
- 29 organizations, annually beginning from the implementation of this Act;
- 30
- 31 c) LGUs may mobilize the Special Health Fund under Republic Act No. 11223 or the
- 32 Universal Healthcare Act, among other resources available, to implement local projects,
- 33 programs, and activities consistent with this Act.
- 34

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

- a) The ASC shall revise its standards, guidelines, codes of ethics, and other rules and regulations in compliance with the provisions of this Act, no later 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	Fine of not less than one million pesos(Php1,000,000) but	Fine of not less than five million pesos (Php5,000,000) but not more than ten

	than one million pesos (Php 1,000,000)	not more than five million pesos (Php 5,000,000)	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

SECTION. 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;

- 1 h) Closure of the establishment by LGUs having jurisdiction over premises where a
2 violation of this Act has been committed; and
3 i) Censure.
4

5 **ARTICLE VI. FINAL PROVISIONS**

6

7 **SECTION. 26. *Healthy Food Environment Trust Fund.*** – A Healthy Food
8 Environment Trust Fund is hereby created. All fines collected pursuant to the enforcement of this
9 Act shall be used exclusively for its implementation and to fund other measures to promote a
10 healthy food environment. The DOH shall be responsible for the management and control of the
11 Trust Fund.
12

13 **SECTION. 27. *Compliance monitoring.*** – Not later than three (3) years after the date of
14 the effectivity of this Act, and annually thereafter, the DOH shall submit to the President of the
15 Philippines and to both Houses of Congress a monitoring report on the compliance of the food
16 and beverage industry with this Act and all related laws, rules, regulations, and ordinances. All
17 reports required under this Act shall be made available to the public primarily via the DOH website
18 and other means to readily access such information.
19

20 All members of the NTF are required to submit an annual report of their accomplishments
21 to the DOH. The DOH is hereby authorized to report to Congress any instance of delay or non-
22 compliance by the national agencies and LGUs herein of the timelines in implementing this Act.
23 The DOH is also authorized to demand accountability from such agencies or LGUs for failure to
24 fulfill its duties under this Act, without prejudice to other remedies or penalties and sanctions that
25 are available or may be imposed by law for such delay or non-compliance.
26

27 **SECTION. 28. *Impact assessment.*** – The DOH shall conduct an impact assessment
28 every three (3) years to evaluate the effectiveness of the enforcement of this Act, health, behavioral,
29 and social outcomes, and other matters relevant to implementation of this Act. The DOH shall
30 include in its budget the conduct of the assessment.
31

32 **SECTION. 29. *Implementing rules and regulations (IRR)*** . – The DOH, in consultation
33 with the members of the NTF in Section 18, shall promulgate such rules and regulations necessary
34 for the effective implementation of this Act within six (6) months from the date of publication of

1 this Act. The IRR shall cover, among others, the phases of implementation, provided that, non-
2 issuance of the IRR shall not prevent the implementing agencies from enforcing this Act upon its
3 effectivity.

4
5 **SECTION. 30. *Transitory provision.*** – Existing industries,
6 businesses, manufacturers, distributors, and other stakeholders affected by the implementation of
7 this Act shall be given six (6) months from the effectivity of this Act to comply with its
8 requirements.

9
10 **SECTION. 31. *Appropriations.*** – The amount necessary to implement the provisions
11 of this Act shall be charged against the current year's appropriations of the concerned national
12 government agencies. Thereafter, such funds as may be necessary for the continued
13 implementation of this Act shall be included in the budgets of the concerned national
14 government agencies under the annual General Appropriations Act.

15
16 **SECTION. 32. *Repealing clause.*** – All laws, decrees, ordinances, administrative orders, rules
17 and regulations, or any part thereof, which are inconsistent with this Act are repealed or amended
18 accordingly.

19
20 **SECTION. 33. *Separability clause.*** – Should any provision of this Act be subsequently
21 declared unconstitutional, the other provisions not so declared shall remain in full force and
22 effect.

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

Approved,