

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8518

Introduced by **Representative Jaime R. Fresnedi**

EXPLANATORY NOTE

This proposed measure seeks to establish guidelines to promote a healthy diet and eating habits in all public schools and learning centers. To further encourage a healthy food environment, this bill also seeks to restrict junk food and sugary drinks within one hundred (100) meters of the school premises. This proposed measure ultimately aims to improve the well-being of Filipino school-age children and help address overall malnutrition in the country.

Nowadays, malnutrition remains a major public health issue, especially among the youth. The World Health Organization declared a so-called double burden of malnutrition, faced by developing countries globally, to explain the co-existence of undernutrition along with overweight and obesity.¹ The findings of the 2023 National Nutrition Survey² show the prevalence of the double burden of malnutrition among school-age children and adolescents. For school-age children (5-10 years old), about two in every ten (21.3%) are underweight. Similarly, nearly two in every ten of this age group (17.9%) are stunted. Meanwhile, approximately two in every ten (20.7%) of adolescents (10-19 years old) are stunted. While data on stunting shows a decreasing trend from previous years, the number of stunted children is still a serious concern.

Concurrently, overweight and obesity have also become a growing problem among Filipino children, showing an increasing trend over the previous years. The prevalence of overweight and obesity among school-age children is 12.9%, a significant increase from a prevalence of 11.7% in 2018.³ There are significantly more overweight and obese school-age children residing in urban (16.2%) than in rural (9.5%) areas. On the other hand, 12.5% of adolescent children are overweight and obese, a significant increase from the 11.6% in 2018.⁴

¹ World Health Organization (May 17, 2017)

<https://iris.who.int/server/api/core/bitstreams/03b3b543-210a-4978-a79b-3a559b235692/content>

² Department of Science and Technology - Food and Nutrition Research Institute (December 10, 2024)

https://nutrition.fnri.dost.gov.ph/uploads/2024/02/National%20Nutrition%20Summit_Part%201.pdf

³ DOST-FNRI (2018) - Presentation

https://www.fnri.dost.gov.ph/images/Sources/cNNS2018-Pre-school_and_School-Children.pdf

⁴ DOST-FNRI (2018) - Presentation

https://www.fnri.dost.gov.ph/images/Sources/cNNS2018-ADOLESCENTS_and_WRA.pdf

This state of malnutrition is directly related to food consumption. Instead of nutrient-rich foods, Filipino children's diets are increasingly replaced by energy-dense and processed foods low in essential nutrients and high in salt, sugar, and unhealthy fats. Inadequate nutrient consumption from food can lead to fatigue, poor health, and increased disease risk. Hence, it is critical to provide healthy food for children to promote their nutrition and assist their physical and cognitive development.

Currently, the policy framework that serves as the basis for the provision of healthy food is merely outlined in an executive order, the Department of Education Order No. 13, Series of 2017. The order aims to encourage and advance healthy eating habits among the students and the teaching and non-teaching personnel in schools by increasing the accessibility of healthy, nutritious, and affordable menu choices, and setting healthy food standards. It also significantly prohibits the selling of junk foods and beverages. This bill institutionalizes these guidelines and expands the prohibition of junk foods and beverages to within 100 meters outside the school premises.

The health of every Filipino school child is a fundamental concern for the overall development of the nation's human resources. By encouraging healthy food intake and desirable eating habits among students in schools, we can start them young in becoming well-nourished, appropriately developed, and well-educated.

In view of the foregoing and with the health and welfare of our children in mind, the immediate approval of this measure is earnestly sought.


JAIME R. FRESNEDI
Representative
Lone District, Muntinlupa City

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AN ACT
PROMOTING AND PROTECTING THE HEALTH OF SCHOOL CHILDREN IN
PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AND LEARNING
CENTERS THROUGH A HEALTHY FOOD AND BEVERAGE PROGRAM

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

SECTION 1. *Short Title.* – This Act shall be known as the "*Healthy Food and Beverage in Public Schools Act.*"

SEC. 2. *Declaration of Policy.* – The State shall ensure the promotion and protection of the health and well-being of its people. The youth, as a valuable asset for the future of any nation, must be provided with a healthy environment where they can achieve physical and mental development, thereby harnessing their full potential. Towards this end, measures that contribute to the achievement of this goal must be pursued.

SEC. 3. *Healthy Food and Beverage Choices Program.* – The Department of Education (DepEd) shall establish a Healthy Food and Beverage Program, hereinafter referred to as the Program, which shall be implemented in all public elementary and secondary schools and learning institutions. Private schools are likewise encouraged to adopt this Program.

Under this Program, DepEd shall establish guidelines to promote a healthy diet and positive eating behaviors, which shall create a healthy eating environment for learners, teaching, and non-teaching personnel in these educational institutions. The Program shall have the following objectives:

- a. Make available healthier food and beverage choices;
- b. Introduce a system of categorizing locally available food and drinks in accordance with geographical, cultural, and religious orientations;
- c. Provide guidance in evaluating and categorizing food and drinks; and
- d. Provide guidance in the selling and marketing of food and beverages, including the purchasing of food for school feeding.

Each school shall develop its own healthy menu that ensure that food and drinks offered are nutritious, affordable, and compliant with these guidelines, as approved by the Schools Division Superintendent (SDS).

SEC. 4. *Definition of Terms.* – As used in this Act:

- a. *Healthy diet* refers to balance in food intake which:
 - i. Achieves energy balance and a healthy weight;
 - ii. Limits energy intake from total fats and shifts fat consumption away from saturated fats to unsaturated fats and towards the elimination of trans-fatty acids;
 - iii. Increases consumption of fruits and vegetables, legumes, whole grains and nuts;
 - iv. Limits the intake of free sugars; and
 - v. Limits salt consumption from all sources.
 - vi. Aligns with Recommended Energy Intake as determined by the Department of Science and Technology - Food and Nutrition Research Institute (DOST-FNRI)
- b. *Junk Food* refers to food that contains any of the following:
 - i. Saturated fat of more than five (5) grams or more than one (1) teaspoon per serving;
 - ii. Trans fat;
 - iii. Sugar or total carbohydrates of more than twenty (20) grams or more than four (4) teaspoons per serving; or
 - iv. Sodium of more than two hundred (200) milligram or 1/10 teaspoon salt per serving.

The Department of Health (DOH) shall, as often as necessary, conduct a review of the thresholds provided herein and adjust the same if necessary to attain the objectives of this Act.

- c. *Sugary Drink* refers to any liquid substance made for drinking that is carbon-based or with carbon dioxide gas and categorized as soft drinks or sugar-based synthetic or artificially flavored juices.

SEC. 5. *Nutritional Categories of Food.* – The DepEd, in consultation with DOH, National Nutrition Council, and DOST-FNRI, shall keep and update a categorized list of food and beverages based on a comprehensive assessment of their nutritional value, following this tiered classification:

- a. Green food and beverages shall regularly be served, sold, and consumed.
- b. Yellow food and beverages shall be served, sold, and consumed occasionally and carefully.
- c. Red food and beverages are not recommended to be served, sold, or consumed, and are strictly prohibited in this Act.

SEC. 6. *Safety Food Standards.* – Canteens and other areas where food is served are required to follow safety, sanitation, and hygiene standards to maintain the cleanliness, quality, and healthiness of food and beverages. These standards include:

- a. Ensure availability of clean, safe, and free drinking water;
- b. Provide facilities for hand washing;
- c. Ensure proper and safe handling of foods;
- d. Provide clean plates, glasses, and eating utensils;
- e. Practice proper waste segregation and disposal; and
- f. Provide a conducive, well-ventilated, well-lighted, safe, and clean environment for eating.

SEC. 7. *Food and Nutrition Education of Parents and Students.* – Public elementary and secondary schools and other learning centers should make efforts to educate children about healthy food and nutrition. Students should be taught good judgment on food choices and develop a preference for a healthy and wholesome diet. Likewise, parents and legal guardians shall be advised to provide healthy foods and beverages to their children.

SEC. 8. *Prohibition of Junk Food and Sugary Drinks.* – The canteens and other areas where food is served within schools and learning centers are prohibited from selling, distributing, and promoting junk foods and sugary drinks.

The sale, distribution, and promotion of junk food and sugary drinks inside the premises and within one hundred (100) meters from the perimeter of public and private elementary and high schools is hereby prohibited. Marketing of junk food and sugary foods shall also be prohibited within school premises or within 100 meters of the school boundary.

SEC. 9. *Penalty.* – The owner or operator of any canteen, eatery, restaurant, or store that sells junk foods and sugary drinks inside the premises and within one hundred (100) meters from the perimeter of any public or private elementary or high school in violation of this Act shall be punished by a fine of not less than Twenty-five thousand pesos (PhP 25,000.00) but not more than One hundred thousand pesos (PhP 100,000.00), or by imprisonment of not less than six (6) months but not more than one (1) year, or both, at the discretion of the court.

Provided, That in case the owner or operator is a partnership, association, corporation, or any other juridical person, the penalty shall be imposed on the president or treasurer of the canteen, eatery, restaurant, or store. In addition, the license to operate of the canteen, eatery, restaurant, or store shall be suspended for six (6) months.

SEC. 10. *Implementing Rules and Regulations.* – The Secretary of Education and the Secretary of Health shall jointly issue the rules and regulations necessary for the effective implementation of this Act within sixty (60) days upon its effectivity.

SEC. 11. *Separability Clause.* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and in effect.

SEC. 12. *Repealing Clause.* - All laws, decrees, orders, and rules and regulations contrary to, or inconsistent with, the provisions of this Act are hereby repealed or amended accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,