



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Twentieth Congress
First Regular Session

HOUSE BILL NO. **8868**

Introduced by Representative Gerardo “Gerryboy” J. Espina, Jr.

EXPLANATORY NOTE

This bill seeks to institutionalize a national calorie labeling policy, mandating restaurants and food establishments to disclose and display the calorie content of their menu items or food products.

Section 15, Article II of the 1987 Constitution mandates that the State shall protect and promote the right to health of the people and instill health consciousness among them. Likewise, Section 16 of Republic Act No. 7160, otherwise known as the “*Local Government Code of 1991*,” directs local government units to promote the general welfare and safeguard the health of their inhabitants.

In recent years, the Philippines has experienced a significant rise in overweight and obesity across various age groups. Data from the Food and Nutrition Research Institute of the Department of Science and Technology indicate that approximately four out of every ten Filipino adults are overweight or obese, while nearly one in ten adolescents faces the same condition.

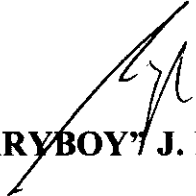
This alarming trend poses serious public health concerns, as excess weight substantially increases the risk of developing noncommunicable diseases such as Type 2 Diabetes, cardiovascular disease, and other chronic illnesses that remain among the leading causes of mortality in the country.

One of the most effective public health interventions adopted globally to address diet-related diseases is the disclosure of calorie information on

restaurant menus, menu boards and food products. By providing consumers with clear, accessible, and evidence-based nutrition information at the point of purchase, calorie labeling empowers individuals to make informed dietary choices while encouraging food establishments to reformulate products and offer healthier menu options.

This proposed measure seeks to institutionalize a national calorie labeling policy mandating restaurants and food businesses to disclose the calorie content of their standard menu items and food products. The policy aims to promote transparency in the food service industry, support healthier food choices among consumers, and contribute to the prevention and control of obesity and other diet-related noncommunicable diseases.

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



GERARDO "GERRYBOY" J. ESPINA, JR.



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HOUSE BILL NO. 8868

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1 **AN ACT**
2 **MANDATING CALORIE LABELING IN RESTAURANTS AND FOOD**
3 **ESTABLISHMENTS TO PROMOTE HEALTHIER AND INFORMED**
4 **FOOD CHOICES AND PROVIDING PENALTIES FOR VIOLATION**
5 **THEREOF**

6
7 *Be it enacted by the Senate and the House of Representatives of the Philippines*
8 *in Congress assembled:*

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10 SECTION 1. ***Short Title.*** – This Act shall be known as the “*National*
11 *Calorie Labeling Act.*”

12 SEC. 2. ***Declaration of Policy.*** – It is hereby the declared policy of the
13 State to protect and promote the right to health of the people and to instill health
14 consciousness among them. The State recognizes that poor dietary habits and
15 excessive caloric intake significantly contribute to obesity and other diet-related
16 diseases, including diabetes, hypertension, and cardiovascular illnesses. To
17 enable consumers to make informed food choices and encourage healthier

1 dietary practices, the State shall mandate restaurants and food establishments to
2 provide accessible, clear, and accurate calorie and nutrition information for food
3 items offered to the public. Toward this end, restaurants and food businesses
4 shall disclose the calorie content and relevant nutritional information of
5 standard menu items in menus and menu boards and food product labels,
6 empowering consumers to make informed dietary decisions and fostering the
7 development and promotion of healthier food options.

8 SEC. 3. ***Definition of Terms.*** – As used in this Act:

9 (a) *Calorie labeling* refers to the disclosure of the total caloric content of
10 a food item expressed in kilocalories (kcal) as part of its nutritional information;

11 (b) *Restaurant or food establishment* refers to any establishment engaged
12 in the preparation and sale of food and beverages for immediate consumption on
13 or off the premises, including restaurants, fast food chains, cafes, bakeries, food
14 courts, and similar establishments;

15 (c) *Standard menu item* refers to a food or beverage item that is routinely
16 offered for sale in a restaurant or food establishment and prepared according to
17 a standardized recipe; and

18 (d) *Menu board* refers to any display board or digital screen that lists
19 available food or beverage items and their prices.

20 SEC. 4. ***Scope and Coverage.*** – This Act shall apply to all restaurants
21 and food establishments operating in the Philippines, except for barangay micro
22 business enterprises defined under Republic Act (RA) No. 9178, otherwise

1 known as the “*Barangay Micro Business Enterprises (BMBEs) Act of 2002*,”
2 and micro, small and medium enterprises defined under RA 6977, otherwise
3 known as the “*Magna Carta for Small Enterprises*,” as amended, and other
4 establishments that may be declared exempt by the Department of Trade and
5 Industry (DTI). The DTI may, in coordination with the Department of Health
6 (DOH) and Food and Drug Administration, establish reasonable guidelines or
7 exemptions for micro or small food establishments as may be necessary to
8 ensure practicality and compliance.

9 Exempted restaurants, food enterprises or businesses may voluntarily
10 disclose nutrition information consistent with the requirements under this Act.
11 The government shall establish recognition, certification, and promotional
12 programs for exempted restaurants or food businesses that voluntarily comply
13 with the calorie labeling requirements.

14 SEC. 5. ***Calorie Labeling.*** – Except as otherwise provided under this
15 Act, all covered restaurants and food establishments shall prominently display
16 the calorie content of each standard menu item directly on printed menus or
17 menu boards.

18 In addition to calorie content, restaurants and food establishments shall
19 make available to consumers, upon request or through printed or electronic
20 means, the complete nutrition information for each standard menu item.

21 The nutrition and calorie information provided shall be accurate,
22 verifiable, and based on recognized nutrition analysis methods.

1 SEC. 6. ***Display Requirements.*** – Restaurants and food establishments
2 shall ensure that the calorie information for standard menu items is prominently
3 and clearly displayed in a manner easily visible to consumers, and in particular,
4 must:

5 (a) Display clearly and legibly the calorie information beside the name or
6 price of each menu item;

7 (b) Make sure that the size and visibility of the calorie information shall
8 be reasonably comparable to that of the item name or price; and

9 (c) Ensure that calorie information is clearly displayed on the digital
10 menu boards of restaurants with drive-through services.

11 SEC. 7. ***Penalties.*** – Any restaurant or food establishment that fails to
12 comply with the calorie labeling requirements mandated under this Act shall be
13 subject to the following penalties:

14 (a) First offense: Written warning and mandatory compliance within
15 thirty (30) days from notice;

16 (b) Second offense: A fine of not less than Ten thousand pesos
17 (P10,000.00) but not more than Fifty thousand pesos (P50,000.00);

18 (c) Third offense: A fine of not less than Fifty thousand pesos
19 (P50,000.00) but not more than One hundred thousand pesos (P100,000.00) and
20 suspension of business permit for a period not exceeding thirty (30) days; and

21 (d) Subsequent offenses: A fine of not less than One hundred thousand
22 pesos (P100,000.00) but not more than Two hundred thousand pesos

(P200,000.00) and revocation of business permit upon recommendation of the implementing agencies.

SEC. 8. ***Public Education and Awareness.*** – The DOH shall, in coordination with the Department of Education, Commission on Higher Education, and local government units, conduct nationwide public education campaigns on healthy eating, proper nutrition, and the interpretation of calorie labels.

SEC. 9. ***Citizen Reporting Mechanism.*** – The DTI shall establish accessible reporting mechanisms, including online, telephone, and written channels, to enable citizens to report any violations of this Act.

SEC. 10. ***Appropriations.*** – The amount necessary for the initial implementation of this Act shall be charged against the annual budget of the DTI. Thereafter, such amounts as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. ***Implementing Rules and Regulations*** – Within ninety (90) days from the effectivity of this Act, the Secretary of Trade and Industry shall, in coordination with the Secretary of Health and Director-General of the Food and Drug Administration, promulgate the necessary rules and regulations for the effective implementation of this Act.

Local government units shall assist in monitoring and enforcement through their respective health offices and business permit and licensing offices.

1 SEC. 12. ***Separability Clause.*** – If any provision of this Act is declared
2 unconstitutional or invalid, the remaining provisions shall remain in full force
3 and effect.

4 SEC. 13. ***Repealing Clause.*** – All laws, decrees, executive orders, rules,
5 and regulations inconsistent with this Act are hereby repealed or modified
6 accordingly.

7 SEC. 14. ***Effectivity.*** – This Act shall take effect fifteen (15) days after
8 its publication in the *Official Gazette* or in a newspaper of general circulation.

9 Approved,