



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

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 10779



Introduced by Representative Ma. Cristina Talavera Lopez

AN ACT STRENGTHENING THE EXPANDED BREASTFEEDING PROMOTION ACT, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7600, AS AMENDED BY REPUBLIC ACT NO. 10028, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Breastfeeding is among the most fundamental acts of maternal care. It provides infants with essential nutrition and protection during the earliest and most critical stages of life, while fostering the health and well-being of both mother and child. Recognizing these benefits, the State has long adopted policies that encourage, protect, and support breastfeeding.

Republic Act No. 7600, or the *Rooming-In and Breastfeeding Act of 1992*, as strengthened by Republic Act No. 10028, or the *Expanded Breastfeeding Promotion Act of 2009*, marked significant advances in this regard. Among others, the law requires the establishment of lactation stations in workplaces and certain establishments and affords nursing employees lactation periods during working hours. Sixteen years on, however, the data indicate that its promise remains unfulfilled. The 2023 National Nutrition Survey of the Department of Science and Technology—Food and Nutrition Research Institute, the results of which were released on 3 July 2025 reported that early breastfeeding initiation and exclusive breastfeeding rates have decreased compared to previous years.

Despite the existence of laws on the breastfeeding promotion, the data from DOST that our country is not merely progressing slowly toward its breastfeeding objectives; on the two indicators that matter most at the point of birth, it is moving backward. The State must therefore recognize that the promotion and protection of breastfeeding must evolve beyond the mere provision of designated facilities. A lactation station should be an accommodation available to a mother who chooses to use it and not a place to which she may be compelled to retreat. A woman should not be required to conceal herself, leave a public space, or interrupt feeding her child simply because another person objects to the sight of breastfeeding.

This measure therefore expressly recognizes breastfeeding as a **lawful, natural, and protected act and guarantees every woman the right to breastfeed** her infant or young child, or to express breastmilk, in any public place or other place where she is otherwise lawfully present. To give meaningful effect to this right, the bill prohibits establishments and persons acting on their behalf from denying or conditioning entry, service, accommodation, or access to facilities on account of breastfeeding; compelling a breastfeeding woman to leave, relocate, cover herself, or discontinue breastfeeding; imposing additional charges or conditions; segregating her against her will; subjecting her to intimidation, ridicule, insult, or harassment; recording or disseminating images of her without consent; or retaliating against any person for asserting rights or reporting violations under the proposed law.

The measure likewise makes clear that the availability of a lactation station cannot be invoked to justify interference with breastfeeding. Neither the objections of other persons nor the absence of express instructions to an employee, agent, security personnel, or contractor who commits a prohibited act shall, by themselves, shield an establishment and its responsible officers from accountability. In this manner, establishments are encouraged not merely to provide physical facilities, but to cultivate an environment in which the dignity and autonomy of breastfeeding women are respected.

At the same time, the bill strengthens the existing requirement for lactation stations by limiting the duration and renewal of exemptions, excluding certain large establishments and essential public-facing institutions from eligibility for exemption, and requiring exempt establishments to provide minimum alternative accommodations. Significantly, an exemption from maintaining a lactation station shall never operate as an exemption from respecting a woman's right to breastfeed.

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



MA. CRISTINA TALAVERA LOPEZ
Representative, ALONA Party List



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**AN ACT STRENGTHENING THE EXPANDED BREASTFEEDING PROMOTION
ACT OF 2009, FURTHER AMENDING FOR THE PURPOSE REPUBLIC ACT NO.
7600, AS AMENDED BY REPUBLIC ACT NO. 10028, AND FOR OTHER
PURPOSES**

*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 as the “*Breastfeeding
Rights Protection Act.*”

SECTION 2. Section 2 of Republic Act No. 7600, as amended by Republic
Act No. 10028, is hereby further amended to read as follows:

Section 2. *Declaration of Policy.* – The State adopts rooming-in
as a national policy to encourage, protect and support the practice of
breastfeeding. It shall create an environment where basic physical,
emotional, and psychological needs of mothers and infants are
fulfilled through the practice of rooming-in and breastfeeding.

“The State shall likewise protect working women by providing
safe and healthful working conditions, taking into account their
maternal functions, and such facilities and opportunities that will
enhance their welfare and enable them to realize their full potential in
the service of the nation. This is consistent with international treaties
and conventions to which the Philippines is a signatory such as the
Convention on the Elimination of Discrimination Against Women
(CEDAW), which emphasizes provision of necessary supporting

social services to enable parents to combine family obligations with work responsibilities; the Beijing Platform for Action and Strategic Objective, which promotes harmonization of work and family responsibilities for women and men; and the Convention on the Rights of the Child, which recognizes a child's inherent right to life and the State's obligations to ensure the child's survival and development.

"Breastfeeding has distinct advantages which benefit the infant and the mother, including the hospital and the country that adopt its practice. It is the first preventive health measure that can be given to the child at birth. It also enhances mother-infant relationship. Furthermore, the practice of breastfeeding could save the country valuable foreign exchange that may otherwise be used for milk importation.

"Breastmilk is the best food since it contains essential nutrients completely suitable for the infant's needs. It is also nature's first immunization, enabling the infant to fight potential serious infection. It contains growth factors that enhance the maturation of an infant's organ systems.

"THE STATE, THUS, RECOGNIZES THAT BREASTFEEDING IS A LAWFUL, NATURAL, AND PROTECTED ACT.

"TOWARDS THIS END, THE STATE SHALL GUARANTEE THE RIGHT OF EVERY WOMAN TO BREASTFEED HER INFANT OR YOUNG CHILD, OR TO EXPRESS BREASTMILK, IN ANY PLACE WHERE SHE IS OTHERWISE LAWFULLY PRESENT, FREE FROM INTERFERENCE, HARASSMENT, CONCEALMENT REQUIREMENTS, RELOCATION, OR DISCRIMINATION.

["Towards this end, the State shall promote and encourage breastfeeding and provide the specific measures that would present opportunities for mothers to continue expressing their milk and/or breastfeeding their infant or young child."]

SECTION 3. Section 3 of Republic Act No. 7600, as amended by Republic Act No. 10028, is hereby further amended to read as follows:

"Section 3. *Definition of Terms.* – For purposes of this Act, the following definitions are adopted:

"c) *Breastfeeding* – the method of feeding an infant directly from the human breast[.] **AND, FOR PURPOSES OF CHAPTER III-A HEREOF, SHALL INCLUDE THE EXPRESSING OF BREASTMILK AND THE FEEDING OF AN INFANT OR YOUNG CHILD WITH EXPRESSED BREASTMILK.**

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"u) *Public place OR ESTABLISHMENTS OPEN TO PUBLIC* – enclosed or confined areas such as schools, public transportation terminals, shopping malls, and the like[.]; **AND, FOR PURPOSES OF CHAPTER III-A HEREOF, ANY PLACE, WHETHER ENCLOSED OR OPEN-AIR AND WHETHER PUBLICLY OR PRIVATELY OWNED, TO WHICH THE PUBLIC OR ANY SUBSTANTIAL SEGMENT THEREOF HAS ACCESS, INCLUDING BUT NOT LIMITED TO PARKS, PLAZAS, STREETS, SIDEWALKS, BEACHES, RESTAURANTS, CAFES, HOTELS, CINEMAS, THEATERS, MUSEUMS, LIBRARIES, SPORTS AND RECREATIONAL VENUES, MARKETS, BANKS, HOSPITALS AND CLINICS, GOVERNMENT OFFICES AND PREMISES, EDUCATIONAL INSTITUTIONS, AND ANY PUBLIC UTILITY VEHICLE, VESSEL, OR AIRCRAFT, WHETHER STATIONARY OR IN TRANSIT."**

SECTION 4. Section 4 of Republic Act No. 7600, as amended by Republic Act No. 10028, is hereby further amended to read as follows::

"SEC. 4. *Applicability.* — The provisions in this Chapter shall apply to all private enterprises as well as government agencies, including their subdivisions and instrumentalities, and government-owned and -controlled corporations.

"Upon application to, and determination by, the Secretary of the Department of Labor and Employment for the private sector, and the Chairperson of the Civil Service Commission for the public sector, all health and non-health facilities, establishments and institutions may be exempted for a renewable period of two (2) years from [Section 6 of this Act] **SECTION 11 HEREOF** where the establishment of lactation stations is not feasible or necessary due to the peculiar circumstances of the workplace or public place taking into consideration, among others, number of women employees, physical

size of the establishment, and the average number of women who visit.

"PROVIDED, THAT NO EXEMPTION SHALL BE RENEWED MORE THAN TWICE, AND IN NO CASE SHALL ANY ESTABLISHMENT REMAIN EXEMPT FOR AN AGGREGATE PERIOD EXCEEDING SIX (6) YEARS.

"PROVIDED FURTHER, THAT, NO EXEMPTION SHALL BE GRANTED TO ANY ESTABLISHMENT EMPLOYING ONE HUNDRED (100) OR MORE PERSONS, OR OCCUPYING A GROSS FLOOR AREA OF ONE THOUSAND (1,000) SQUARE METERS OR MORE, NOR TO ANY SHOPPING MALL, PUBLIC MARKET, TRANSPORTATION TERMINAL, AIRPORT, SEAPORT, HOSPITAL, OR EDUCATIONAL INSTITUTION, REGARDLESS OF SIZE.

"PROVIDED FURTHER, THAT, IN LIEU OF LACTATION STATIONS, ALTERNATIVE ACCOMMODATIONS SHALL BE PROVIDED BY EXEMPTED ESTABLISHMENTS OR INSTITUTIONS, WHICH SHALL AT THE MINIMUM CONSIST OF A CLEAN, PRIVATE, AND SEATED SPACE MADE AVAILABLE UPON REQUEST AND REFRIGERATED STORAGE FOR EXPRESSED BREASTMILK, AND SUCH ALTERNATIVE ACCOMMODATION SHALL NOT BE A TOILET.

"PROVIDED FINALLY, THAT NO EXEMPTION GRANTED UNDER THIS SECTION SHALL EXCUSE COMPLIANCE WITH CHAPTER III-A HEREOF."

["All health and non-health facilities, establishments or institutions which are exempted in complying with the provisions of this Act but nevertheless opted to comply are entitled to the benefits herein stated: Provided, That they give their employees the privilege of using the same.]

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SECTION 5. A new Chapter III-A is hereby inserted in Republic Act No. 7600, as amended, immediately after Section 12 thereof, to read as follows:

**CHAPTER III-A
THE RIGHT TO BREASTFEED**

"Section. 12-A. Right to Breastfeed. Every woman shall have the right to breastfeed her infant or young child, or to express breastmilk, in any public place or in any other place where she is otherwise lawfully present.

"This right may be exercised regardless of whether the act is done discreetly, and irrespective of whether any part of the breast is uncovered during or incidental to breastfeeding. No woman shall be required, as a condition of exercising this right, to cover herself, to use a nursing cover or similar article, to position herself in any particular manner, or to relocate to any other place.

"For this purpose, breastfeeding or expressing breastmilk in public places shall not constitute a violation of Articles 200 and 201 of Act No. 3815, otherwise known as the Revised Penal Code, as amended, nor of any other law, rule, regulation, or ordinance on indecency, obscenity, public morals, or similar penal laws.

"No ordinance, rule, or regulation of any local government unit, or internal rule, policy, or condition of entry of any establishment open to the public, shall prohibit, restrict, penalize, or impose any condition upon breastfeeding.

"Section 12-B. Prohibited Acts. – It shall be unlawful for any establishment open to the public, or any person acting on its behalf, or for any public officer or employee, to:

"a) Refuse, withhold, condition, or terminate entry, service, accommodation, or the use of any facility by reason of breastfeeding;

"b) Order, request, or pressure a breastfeeding woman to leave the premises, to move to another area, or to discontinue, interrupt, cover, or conceal breastfeeding;

"c) Impose any fee, surcharge, minimum purchase, or other pecuniary condition by reason of breastfeeding;

"d) Segregate or confine a breastfeeding woman to any designated area against her will;

"e) Subject a breastfeeding woman to intimidation, ridicule, insult, or harassment by reason of breastfeeding;

"f) Photograph, film, record, or livestream a breastfeeding woman without her prior consent, or reproduce, distribute, publish, broadcast, or upload any such image or recording;

"g) Retaliate in any manner against a woman, or against any person, for asserting a right or reporting a violation under this Chapter.

Any person found guilty of any of the foregoing prohibited acts shall be penalized with imprisonment of one (1) year to six (6) years and a fine of Five Hundred Thousand Pesos (PHP 500,000.00), without prejudice to civil liability and administrative sanctions arising from the said acts.

"Section 12-C. Existence of Lactation Station Not a Defense.

– The existence, availability, adequacy, or proximity of a lactation station shall not constitute a defense to, or otherwise excuse, any violation of this Chapter.

No establishment or any of its responsible officers shall be exempt from liability under this Act on the ground that: (a) the establishment has been granted an exemption under Section 4 hereof; (b) another person expressed discomfort, objection, or complaint regarding the act or conduct protected under this Chapter; or (c) the prohibited act was committed by an employee, agent, security personnel, or contractor without the express instruction or authorization of the establishment or its officers.

SECTION 6. Section 21 of Republic Act No. 7600, as amended, is hereby further amended to read as follows:

"Sec. 21. *Sanctions.* – Any private non-health facility, establishment and institution which unjustifiably refuses or fails to comply with [Sections 6 and 7 of this Act] **SECTIONS 11 AND 12 HEREOF** shall be imposed a fine of not less than Fifty thousand pesos (P50,000.00) but not more than Two hundred thousand pesos (P200,000.00) on the first offense.

"On the second offense, a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred thousand pesos (P500,000.00).

"On the third offense, a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million pesos

(P1,000,000.00) and the cancellation or revocation of the business permits or licenses to operate.

“ANY ESTABLISHMENT OPEN TO THE PUBLIC WHICH VIOLATES ANY PROVISION OF CHAPTER III-A HEREOF SHALL, IN ADDITION TO SOLIDARY CIVIL LIABILITY WITH ITS EMPLOYEES AND OFFICERS, BE IMPOSED AN ADMINISTRATIVE FINE OF NOT LESS THAN ONE MILLION PESOS (P1,000,000.00) BUT NOT MORE THAN THREE MILLION PESOS (P3,000,000.00) ON THE FIRST OFFENSE; NOT LESS THAN THREE MILLION PESOS (P3,000,000.00) BUT NOT MORE THAN FIVE MILLION PESOS (P5,000,000.00) ON THE SECOND OFFENSE; AND NOT LESS THAN FIVE MILLION PESOS (P5,000,000.00) BUT NOT MORE THAN TEN MILLION PESOS (P10,000,000.00), TOGETHER WITH SUSPENSION OF ITS BUSINESS PERMIT FOR NOT LESS THAN THIRTY (30) DAYS, ON THE THIRD AND EACH SUBSEQUENT OFFENSE.

“In all cases, the fine imposed should take into consideration, among others, number of women employees, physical size of the establishment, and the average number of women who visit.

“In addition, the Secretary of Health is hereby empowered to impose sanctions on health institution for the violation of this Act and the rules issued thereunder. Such sanctions may be in the form of reprimand or censure and in case of repeated willful violations, suspension of the permit to operate of the erring health institution.

“Heads, officials and employees of government health and non-health facilities, establishments and institutions who violate this Act shall further be subject to the following administrative penalties:

First offense — Reprimand;

Second offense — Suspension for one (1) to thirty (30) days;

and

Third offense — Dismissal.

This shall be without prejudice to other liabilities applicable under civil service law and rules.”

SECTION 7. *Non-Diminution and Independence of Remedies.* – Nothing in this Act shall be construed to diminish any right, benefit, or remedy available under Republic Act No. 9710, otherwise known as the “Magna Carta of Women,” Republic Act No. 11210, Republic Act No. 11313, Republic Act No. 9995, the Civil Code of the

Philippines, or any collective bargaining agreement or company policy granting more favorable terms. The remedies provided herein are cumulative and not exclusive.

SECTION 8. *Implementing Rules and Regulations.* – Within one hundred twenty (120) days from the effectivity of this Act, the Department of Health, as lead agency, in coordination with the Department of Labor and Employment, the Department of the Interior and Local Government, the Civil Service Commission, the Philippine Commission on Women, the Department of Trade and Industry, the Department of Justice, and concerned civil society organizations, shall promulgate the rules and regulations necessary to carry out the provisions of this Act. Failure to promulgate such rules within the period herein provided shall not suspend, defer, or impair the effectivity of Chapter III-A, the provisions of which shall be self-executing.

SECTION 9. *Separability Clause.* – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions which are not affected shall continue to be in full force and effect.

SECTION 10. *Repealing Clause.* – All laws, presidential decrees, executive orders, or issuances, or any part thereof which are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or any newspaper of general circulation.

Approved,