

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

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 11342



INTRODUCED BY REP. PATRICK MICHAEL "PM" D. VARGAS

AN ACT
MANDATING THE DISPLAY OF NUTRITIONAL INFORMATION ON THE
MENU OF FOOD ESTABLISHMENTS

EXPLANATORY NOTE

Good nutrition has been attributed to healthier food choices and, generally, a healthier diet. The presence of nutritional information on the food labels helps people maintain their healthy diet and nutrition because of informed choices. This, in turn, helps prevent the rise of various diseases attributed to an unhealthy diet.

The World Health Organization indicates that 80 percent of premature heart disease, stroke, and Type II Diabetes and 40 percent of cancers can be prevented through a healthy diet. Thus, consumers have now become more discerning in their choice of food, always checking the nutritional information and calorie count on food labels. Filipinos, however, are not as informed when dining in restaurants. They are often unaware of the calorie and nutritional content of a meal, leading them or misleading them into an unhealthy eating pattern.

This bill aims to mandate the disclosure and display of the nutrition content information on each standard menu in all types of restaurants, including fast food chains, in order to enable and empower consumers with the right to choose the food they want to eat without compromising their health.

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

A handwritten signature in blue ink, appearing to be "PM" followed by a stylized flourish.

REP. PATRICK MICHAEL "PM" D. VARGAS
Fifth District, Quezon City

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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 "*Nutrition Information Act*".

SECTION 2. Declaration of Policy. - It is hereby declared the policy of the State to protect and promote the right of the people to good health. Towards this end, the State hereby mandates the disclosure and display of the nutrition content information of food on the menus and menu boards of restaurants and fast-food chain establishments to help Filipinos make healthier food choices.

SECTION 3. Definition of Terms. - As used in this Act, the following terms shall mean:

- (a) *Food establishment* - any food retail establishment that is part of an affiliation of ten (10) or more food retail establishments, doing business under the same name, regardless of its type of ownership, and selling substantially the same menu items in standard content and portion servings.
- (b) *Food items* - a unit serving of a ready-to-eat food or beverage for sale in a restaurant or food retail establishment.
- (c) *Food-on-display* - food offered for sale that is visible to a customer before making a selection and needs no further preparation before consumption.
- (d) *Standard menu item* - many individual food items or combination of food items that is routinely listed on a menu or menu board, or routinely offered for sale by a restaurant or fast-food chain establishment.

- (e) *Menu* - a printed list or pictorial display of food items or combination of food items and their prices posted in and visible within a fast-food chain as defined in this Act, including menus distributed or provided outside of the establishment.
- (f) *Menu board* - any list or pictorial display of food items and their prices posted in and visible within or outside a fast-food chain as defined in this Act, including drive-thru menu boards.
- (g) *Self-service food* - food and beverages that the consumers serve themselves, including food offered for sale at a salad bar, buffet line, cafeteria line, or similar self-service facility.

SECTION 4. *Disclosure of Nutrition Information.* - All food establishments, as defined in this Act, are hereby required to disclose and display the nutrient content information of each standard menu item on their menus and menu boards as usually prepared and sold to the public. For food establishments offering self-service food and food on-display, the nutrient content information per item or serving shall be posted on a sign adjacent to such food.

The nutrition information shall indicate the amount of each of the following:

- (a) Total fat;
- (b) Saturated fat;
- (c) Cholesterol;
- (d) Sodium;
- (e) Total carbohydrates;
- (f) Complex; carbohydrates;
- (g) Sugars;
- (h) Dietary fiber; and
- (i) Total Protein.

Disclosure and display of nutrition information shall not apply to custom orders on food that is part of a customary market test or temporary menu items.

SECTION 5. *Calorie Content.* - The disclosure of nutrition content information by food establishments, as required in the preceding section, shall indicate the calories contained in a standard menu item to the nearest five-calorie increment up to and including fifty (50) calories, to the nearest ten-calorie increment above fifty (50) calories.

For foods that have fewer than five (5) calories, the declaration may be expressed as zero (0).

SECTION 6. *Disclosure Compliance Certificate.* - As an additional requirement for their operation within six (6) months from the effectivity of this Act, food establishments are hereby directed to apply for and secure a

Nutrition Disclosure Compliance Certificate (NDCC) from the Department of Health (DOH). The NDCC issued by the DOH shall be valid for two (2) years from the date of issuance and may be renewed at least thirty (30) days before its expiration. The DOH may refuse to renew the NDCC of any restaurant or fast-food chain establishment found to be in violation of this Act.

Failure of any restaurant or fast-food chain establishment to secure a NDCC shall be a ground for the suspension or revocation of its license to operate.

SECTION 7. *Penalties.* - A fine of not less than twenty thousand pesos (PHP 20,000) but not more than one hundred thousand pesos (PHP 100,000) shall be imposed upon any person operating a food establishment found to have failed to comply with the mandatory nutrition information regarding the number of calories or nutrients contained in their standard menu items.

SECTION 8. *Implementing Rules and Regulations.* - Within sixty (60) days from the effectivity of this Act, DOH shall promulgate the necessary rules and regulations for the effective implementation of this Act.

SECTION 9. *Separability Clause.* - Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SECTION 10. *Repealing Clause* - All laws, decrees, orders, rules, and regulations or other issuances or parts inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 11. *Effectivity.* - This Act shall take effect fifteen (15) days after publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines.

Approved,