

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

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 11404



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

Noncommunicable diseases (NCDs) killed 43 million people in 2021, equivalent to 75% of all non-pandemic-related deaths globally.¹ In the Philippines, NCDs account for 68% of all deaths and is the number one cause of mortality and morbidity in the country.² One in every three Filipinos is likely to die before the age of 70 from one of the four major NCDs: cardiovascular diseases (CVDs), cancer, diabetes, or chronic respiratory diseases. CVDs, particularly coronary heart disease (CHD), account for nearly half of the world's NCD related deaths. 2021 data shows that over 700,00 deaths in the country were due to NCDs,³ and is still trending upwards and may account more larger and larger share of premature deaths.⁴

High intake of trans-fatty acids (TFA) increases the risk of death from any cause by 34% and CHD mortality and morbidity by as much as 23% and 28%, respectively. Every year, more than half a million deaths are attributed to TFA globally. Dubbed as the "tobacco of nutrition," TFA has no health benefits and is completely replaceable with no difference in taste or cost of food. Thus, the WHO published the REPLACE Technical Action Package as a road map towards a trans-fat free world.

Denmark, Argentina, Thailand and Singapore have introduced policies to limit TFA consumption by banning partially hydrogenated oils (PHOs), the major source of TFA, and/or limiting TFA content in food. Countries that regulated TFA

¹ Noncommunicable Diseases, World Health Organization, 25 September 2025, available at: <https://www.who.int/news-room/fact-sheets/detail/noncommunicable-diseases>

² Health Philippines Alliance, available at: <https://phealthalliance.ph/ncds-tracker/>

³ *Ibid*

⁴ Dexter Cabalza, "WHO: Premature death risk due to NCDs in PH among highest in region," Inquirer, 18 October 2024, available at: <https://globalnation.inquirer.net/252790/risk-of-premature-deaths-in-ph-due-to-ncds-among-highest-in-western-pacific-region>

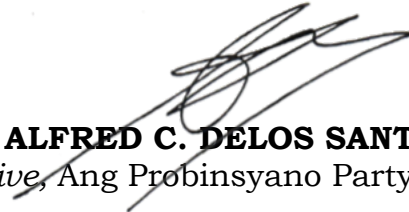
have seen a significant decline in CHD deaths. Denmark's regulation limiting TFA content to 2g per 100g of fat in food products contributed to a 75% reduction in CHD-related deaths. In Argentina, an estimated 301 to 1,517 cardiac deaths every year were averted by eliminating industrially-produced TFA, saving the government as much as USD 87 million in healthcare costs annually.

The FDA Circular No.2021-028-A effectively banned TFA and is geared towards eliminating industrially-produced Trans-Fatty Acids (TFA) in the Philippines food supply chain.⁵ This Act aims to once and for all forbid TFA in the Philippine food supply chain.

The importance of addressing the problem of CHDs and CVDs as a whole has never been more pronounced than now, as we recover from the pandemic early this decade, and pose to tackle emerging health risks as both the food industry and Filipino diet evolve. Now more than ever, the need for preventative health care and healthy lifestyle promotion must be realized in line with the vision of universal health care.

According to the WHO, TFA elimination is considered as one of the simplest and most straightforward public health interventions to reduce the risk of CVDs and improve nutritional quality of diets. As more countries regulate TFA, countries without regulations become vulnerable to dumping of TFA-rich imported food. Together, let us protect all Filipinos from the harmful effects of TFA and promote healthy hearts for all.

It is for these foregoing reasons that the passage of this bill is earnestly sought.



ALFRED C. DELOS SANTOS
Representative, Ang Probinsyano Partylist

⁵ Available at: <https://www.fda.gov.ph/fda-advisory-no-2021-028-a-updated-guidelines-on-prepackaged-processed-food-products-containing-industrially-produced-trans-fatty-acids-iptfa-amending-fda-circular-2021-028-entitled-guid/>

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AN ACT
**TO PROTECT FILIPINOS FROM THE HARMFUL EFFECTS OF TRANS-
FATTY ACIDS, 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 “Trans-Fat Free
Philippines Act”.

SECTION 2. *Declaration of Policy.* – It is the duty of the State to protect
and promote the Filipinos’ right to health and instill health consciousness among
them. The State recognizes the right of people to safe and nutritious food, free
from substances like trans-fatty acids (TFA) that increase their risk of
contracting deadly diseases.

The State shall prioritize health promotion and preventive care as it
progresses towards universal health care. In this regard, the State shall protect
Filipinos from the threat of death and diseases linked to TFA consumption by
removing industrially produced TFA from the food supply.

SECTION 3. *Definition of Terms.* – For the purposes of this Act, the
following terms shall be defined as follows:

- (a) **Certificate of Product Registration (CPR)** refers to an authorization
issued by the Food and Drug Authority (FDA) for specific health
products including food, after evaluation and approval of submitted
registration requirements.
- (b) **Distributor** means any person to whom a consumer product is
delivered or sold for purposes of distribution in commerce, but

excluding the manufacturer or retailer of such product. Distributors may be exporters, traders and wholesalers.

- (c) **Food** is any substance or product, whether processed, partially processed or unprocessed that is intended for human consumption. It includes drinks, chewing gum, water and other substances that were used as an ingredient or a component in the manufacture, preparation or treatment of food, such as oils and fats, whether sold alone or incorporated in processed food and/or prepackaged food.
- (d) **Food Business Operator** refers to natural or juridical person responsible for operating a business at any step of the food chain.
- (e) **Food Service Establishment** means any establishment that prepares, serves, markets, sells, or offers for sale, food or drink to be consumed within the establishment or taken-out.
- (f) **Importer** the consignee or the Philippine agent or representative of a foreign owner or consignee of raw materials, ingredients and/or finished products at the time of entry of such article into the Philippines.
- (g) **Industrially-Produced TFA** –refers to trans-fatty acids created when fats and oils are modified by the use of industrial processing techniques.
- (h) **License to Operate (LTO)** is a license granted by the FDA to establishments involved in the manufacturing, packaging, repackaging, exportation, distribution, and retailing of processed foods, drugs, medical devices, in vitro diagnostic reagents, cosmetics, and household hazardous substance products.
- (i) **Manufacturer** means any person who manufactures, assembles or processes food products, including any person who attaches one's own brand name to a consumer product manufactured, assembled, or processed for them.
- (j) **Partially Hydrogenated Oil (PHO)** are fat or oil that has been hydrogenated, but not to complete or near complete saturation, and with an iodine value greater than 4, as determined by a method that is suitable for this analysis.
- (k) **Prepackaged Food** are processed food prepared in advance and placed in a container, labelled and ready for sale or distribution, or for catering purposes.
- (l) **Processed Food** refers to any food that has been subjected to any action that substantially alters the initial raw materials or product or ingredients.
- (m) **Retailer** refers to any establishment that sells or offers to sell any food product directly to the general public.
- (n) **TFA** refers to all fatty acids with a double bond in the trans configuration, regardless of whether they are produced industrially or come from ruminant sources.

SECTION 4. *Scope and Application* – This Act shall apply to all food business operators as defined under Republic Act No. 10611 or the “Food Safety Act.”

SECTION 5. *Lead Agency*. – The Department of Health (DOH) shall be responsible for ensuring that the provisions of this Act are implemented. As lead agency, the DOH shall perform the following functions:

- (a) Convene and lead the inter-agency TFA Task Force composed of the following agencies for the implementation of this Act:
 - a. National Nutrition Council (NNC);
 - b. FDA;
 - c. Department of the Interior and Local Government (DILG);
 - d. Department of Trade and Industry (DTI);
 - e. Department of Science and Technology (DOST);
 - f. Department of Agriculture (DA); and
 - g. Other agencies identified by the DOH.

SECTION 6. *Assistance and capacity building for local implementation and enforcement* – The FDA, in coordination with DILG and other relevant agencies, shall strengthen the capacity of LGUs in implementing and enforcing the provisions of this Act with regard to prepackaged and processed food produced and marketed in traditional markets and food service establishments.

The FDA shall assist LGUs in regulating food service establishments, upon request of the LGU. Such assistance shall include the use of laboratories for testing and sharing of information relevant to products registered with the FDA.

SECTION 7. *Research and development* – The DOST shall:

- (a) Conduct continuing research to identify and develop healthy alternative oils and food products such as:
 - a. Healthy alternative oilseeds through crop diversification programs and agricultural research, in coordination with the DA;
 - b. Healthy oils and fats through the application of oil modification techniques and other methods; and
 - c. Healthy food products through product reformulation research and development; and
- b) In coordination with the FDA, develop or adopt technology to reduce the cost of TFA testing.

SECTION 8. *Oilseeds crop diversification* – The DA shall implement an oilseeds crop diversification program and conduct continuing research and development to support the production of healthy alternative oilseeds in coordination with DOST.

SECTION 9. *Trainings and seminars on reformulation* – The DOH, in coordination with FDA, DTI, DOST-Philippine Council for Health Research and Development, DOST-Food and Nutrition Research Institute (DOST-FNRI), DILG, and the Technical Education and Skills Development Authority, shall conduct trainings and seminars for food business operators and food service establishments on the reformulation of food products to comply with the provisions of this Act, and the use of healthy alternatives of oils.

SECTION 10. *Prohibition on the manufacture, distribution and sale of PHOs and oils and fats with high TFA content* – The manufacture, distribution and sale of the following are prohibited:

- (a) PHOs to be consumed alone or used in preparation of food products;
- (b) Oils and fats made or blended with PHOs; and
- (c) Oils and fats with TFA content of more than 2g per 100g.

No registration, license or permit shall be issued to any food manufacturer, or distributor that manufactures, distributes, or sells food in violation of this provision.

SECTION 11. *Prohibition on the manufacture, distribution and sale of processed and prepackaged food with PHOs and high TFA content* – The manufacture, distribution and sale of the following are prohibited:

- (a) Processed and prepackaged food prepared with PHOs, including food prepared by food service establishments;
- (b) Processed and prepackaged food prepared with oils and fats made or blended with PHOs, including food prepared by food service establishments; and
- (c) Processed and prepackaged food with TFA content of more than 2g per 100g of total fat.

No registration, license or permit shall be issued to any food manufacturer, or distributor that manufactures, distributes, or sells food in violation of this provision.

SECTION 12. *Prohibition on trans fat free claims* – Claims on the packaging, labelling, marketing, or advertising, that a food product is TFA free is prohibited. A TFA free claim is any claim that states or suggests that the food product does not contain TFA, such as “Trans Fat Free,” with “Og Trans Fat,” or any other similar claim.

SECTION 13. *Material misrepresentation* – Any material misrepresentation with regard to the requirements mandated by the FDA in the application for a CPR shall be a ground for the imposition of appropriate penalties prescribed under this Act. For purposes of this Act, there is material misrepresentation

when the applicant makes a false representation of a material fact in the application for a CPR, tending directly to induce the FDA to grant the application when otherwise it will be denied.

SECTION 14. *Enforcing Agency* – The FDA and local government units (LGUs) shall be responsible for the enforcement of this Act with regard to the following food products:

- (a) Processed and prepackaged food – The FDA shall enforce the provisions of this Act in relation to domestic prepackaged and processed food including oils and fats; and
- (b) Food produced and marketed in traditional markets and food service establishments – The LGUs shall enforce the provisions of this Act with regard to prepackaged and processed food produced and marketed in traditional markets and food service establishments within their jurisdiction.

SECTION 15. *Inspection powers and record-keeping* – The FDA, through its authorized agents, shall have the power to inspect the premises and records of food manufacturers to determine compliance with this Act. The FDA shall issue guidelines on record-keeping and inspection procedures.

SECTION 16. *Enforcement procedure for processed and prepackaged food* – The existing rules of procedure in administrative proceedings of the FDA shall apply in the handling of cases and violations committed under this Act with regard to processed and prepackaged food.

SECTION 17. *Enforcement for traditional markets and food service establishments* – LGUs, through an appropriate issuance, shall establish a mechanism to enforce the provisions of this Act with regard to prepackaged and processed food produced and marketed in traditional markets and food service establishments within their jurisdiction and shall impose penalties for violations thereof.

SECTION 18. *Civil society participation for monitoring and surveillance* – The FDA shall implement programs encouraging citizen participation in the conduct of post-market monitoring and surveillance of TFA content in food and reporting violations of this Act. For this purpose, the FDA shall develop and publicize a web-based user-friendly consumer complaints portal to encourage citizen participation.

SECTION 19. *Administrative Penalties* – The following administrative penalties shall be imposed on food business operators found to be in violation of Sections 10, 11, and 12 of this Act:

- (a) For the first violation, a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than One Hundred Thousand Pesos

- (P100,000.00) and suspension of the CPR and/or LTO for one (1) month;
- (b) For the second violation, a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) and suspension of CPR and/or LTO for three (3) months; and
 - (c) For the third violation, a fine of not less than Two Hundred Thousand Pesos (P200,000.00) but not more than Three Hundred Thousand Pesos (P300,000.00). Suspension of CPR and/or LTO for one (1) year or revocation of the CPR, LTO, and other relevant licenses and permits.

The following administrative penalties shall be imposed on food businesses operators found to be in violation of Section 13 of this Act:

- (a) For the first violation, a fine of not less than One Hundred Thousand Pesos (P100,000.00) but not more than Two Hundred Thousand Pesos (P200,000.00) and suspension of the CPR and/or LTO one (1) year; and
- (b) For the second violation, a fine of not less than Two Hundred Thousand pesos (P200,000.00) but not more than Three Hundred Thousand Pesos (P300,000.00) and revocation of CPR and/or LTO.

The imposition of fines shall take into consideration the annual gross sales, capital investment and employee size of the food business operator.

SECTION 20. Imprisonment – In addition to administrative penalties, the following penalties of imprisonment may be imposed on food business operators:

- (a) For violations under Sections 10, 11, and 12, imprisonment of not less than one (1) month but not more than six (6) months; and
- (b) For violations under Section 13, imprisonment of not less than six (6) months but not more than one (1) year.

Criminal and administrative actions for violations of this Act may be instituted separately and independently from one another. Should the offense be committed by a juridical person, the Chair of the Board of Directors, the President, General Manager, or the partners and/or the persons directly responsible therefor shall be penalized.

If the offender is an alien, he shall be deported after service of sentence and payment of fine without further deportation proceedings.

In case the violation is committed by, or in the interest of, a foreign juridical person duly licensed to engage in business in the Philippines, such license to engage in business in the Philippines shall immediately be revoked.

The above penalties shall not preclude the imposition of applicable penalties by LGUs, and any other sanctions under applicable laws, rules, and regulations.

SECTION 21. *Other Penalties* – In addition to the foregoing fines and penalties, the following sanctions may also be imposed:

- (a) Seizure and condemnation, destruction and/or appropriate disposition of noncompliant food products by the FDA; and/or
- (b) Closure of establishment by the LGUs having jurisdiction.

SECTION 22. *Accredited laboratories and testing centers* – The FDA and DTI-Philippine Accreditation Board (PAB) shall jointly accredit public and private laboratories capable of testing TFA content in food. The FDA and DTI-PAB shall develop, issue, and publish accreditation procedures and qualification requirements for testing facilities within six (6) months from the effectivity of this Act. The FDA shall adopt mechanisms to reduce the cost of TFA testing in all accredited laboratories and testing centers.

SECTION 23. *Regional laboratories and testing centers* – Regional laboratories and testing centers shall assist LGUs in monitoring and enforcing the provisions of this Act within their respective jurisdictions as provided in Section 14.

SECTION 24. *Resources and manpower* – The FDA shall determine and ensure the sufficient number of resources and manpower needed for the implementation of this Act:

- (a) In coordination with DOST, the FDA shall ensure that all FDA and DOST regional laboratories have the equipment and resources to conduct testing of TFA content in food;
- (b) In coordination with relevant agencies, the FDA shall determine and ensure the adequacy of personnel trained on TFA regulation, testing, monitoring and surveillance.

SECTION 25. *Duty-free importation of TFA testing equipment* – The importation of laboratory equipment for testing TFA shall be exempt from payment of customs duties and taxes.

SECTION 26. *Early compliance incentives for MSMEs* – The DTI and LGUs, through its business process and licensing offices, shall develop and implement policies and programs providing incentives for MSMEs to encourage early voluntary compliance with this Act.

SECTION 27. *Expedited processing for CPR applications on reformulated products* – The FDA shall expedite the assessment of new CPR applications for food products reformulated in compliance with this Act.

SECTION 28. *Consumer information, education and communication program* – The DOH, in coordination with the Philippine Information Agency, Department of Education, Commission on Higher Education, and Department of Information and Communication Technology shall develop and implement a comprehensive information, education and communications program to raise public awareness on the provisions of this Act, the health harms resulting from TFA, sources of TFA in the diet, and ways to replace PHOs with healthy alternative oils and fats.

SECTION 29. *Implementing Rules and Regulations* – Within sixty (60) days from the effectivity of this Act, the DOH shall develop and issue implementing rules and regulations (IRR) of this Act in consultation with NNC, FDA, DILG, DTI, DOST, DA, and other relevant government agencies and stakeholders.

SECTION 30. *Transitory Provisions* – Within two (2) years from the effectivity of this Act:

- (a) Food manufacturers shall comply with the additional requirements for CPR application as determined by the FDA; and
- (b) Food business operators shall be allowed to sell their existing food products that do not comply with Sections 10 and 11 of this Act.

All manufacturers, distributors, and retailers of oils and fats, and food service establishments shall be required to submit their existing inventory of food products as of the date of effectivity of this Act to the FDA and DTI. Food business operators shall submit their inventory within sixty (60) days from the effectivity of the IRR of this Act to monitor the phase out of non-compliant food products.

SECTION 31. *Monitoring and evaluation* – The DOH shall periodically report to the President and the Congressional Committees on Health, Agriculture and Food, and Trade and Industry on the implementation of this Act. The DOH shall, in coordination with DOST-FNRI, further monitor and evaluate the following:

- (a) TFA exposure screening and surveillance – The DOST-FNRI shall include the regular screening and monitoring of TFA population consumption in the Expanded National Nutrition Survey; and
- (b) TFA nutrient profiling – The DOST-FNRI shall include the testing and monitoring of TFA content in food in the Food Composition Table and Food Composition Databases.

SECTION 32. *Appropriations and Use of Fees, Charges and Penalties* – The initial amount necessary for the implementation of this Act shall be charged against the current appropriation of all concerned agencies. Such funds necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

All fines and fees that may be collected from the enforcement of this Act shall be used exclusively for its implementation.

SECTION 33. *Conflict of Interest* – Pursuant to the fundamental objective of this Act to advance public health, the implementation and enforcement of this Act and the development of related policies shall promote multisectoral coordination while safeguarding against potential conflict of interest

SECTION 34. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 35. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 36. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,