

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 6469

Introduced by Representative FAUSTINO "INNO" A. DY V

EXPLANATORY NOTE

This bill prohibits the sale, distribution or promotion of junk foods and sugary drinks inside the premises and within one hundred (100) meters from the perimeter of public and private elementary and high schools.

Section 13, Article II of the Constitution provides, in part:

"Section 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. x x x"

Also, Section 15 of the same Article provides:

"Section 15. The State shall protect and promote the right to health of the people and instill health consciousness among them."

The State recognizes that the promotion of health and welfare of the youth, especially the school children, is one of its primary concerns. Junk foods and sugary drinks contain high levels of unhealthy substances.

The 8th National Nutrition Survey¹ showed that for children aged five to ten years old, 29.1% were underweight (low weight for his/her age), 29.9% were stunted (low height for his/her age), 8.6% were wasted (low weight for his/her height), and 9.1% were overweight (high weight for his/her height).

The burden of under- and over-nutrition by schoolchildren in the Philippines is due to the fact that the total food intake for some children has remained inadequate resulting in undernutrition. Unhealthy eating patterns- more sugar, fats, oils, and less leafy vegetables and whole grain cereals, and sedentary lifestyle led to an upward surge in overweight and obesity.

¹ Department of Science and Technology- Food and Nutrition Research Institute, 2014)

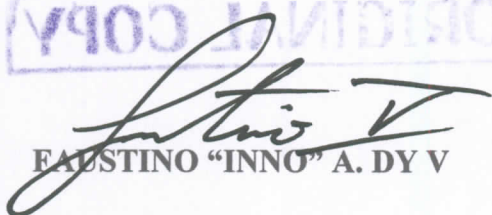
Children spend a large portion of their time in schools. During this period, parents could not monitor the intake of food and beverages of their children. Thus, schools are the best venue to instill and promote healthier lifestyle among these school children.

To promote and develop healthy eating habits among the youth and school employees, the Department of Education issued Department Order No. 13, Series of 2017, entitled "*Policy and Guidelines in Healthy food and Beverage Choices in Schools and in DepEd Office.*" Under this Department Order No. 13, schools must ensure that the food and drinks available to the students in the school premises are healthy and nutritious.

This bill, therefore, aims to reduce the risk of lifestyle diseases and instill healthy eating habits among school children by prohibiting the sale, distribution or promotion of junk foods and sugary drinks inside the premises and within one hundred (100) meters from the perimeter of public and private elementary and high schools.

To protect and promote the health and welfare of students in the educational institutions, approval of this bill is earnestly recommended.

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AN ACT
PROHIBITING THE SALE, DISTRIBUTION OR PROMOTION OF JUNK FOODS
AND SUGARY DRINKS INSIDE THE PREMISES AND WITHIN ONE HUNDRED
METERS FROM THE PERIMETER OF PUBLIC AND PRIVATE ELEMENTARY
AND HIGH SCHOOLS

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

SECTION 1. This Act shall be known as the "Healthy Canteen Law".

SECTION 2. The sale, distribution or promotion of junk foods 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.

SECTION 3. For purposes of this Act, *junk food* refers to food that contains any of the following:

(a) Saturated fat of more than five (5) grams or more than one (1) teaspoon per serving;

(b) Trans fat;

(c) Sugar or total carbohydrates of more than twenty (20) grams or more than four (4) teaspoons per serving; or

(d) Sodium of more than two hundred (200) milligram or 1/10 teaspoon salt per serving.

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

The aforementioned thresholds shall be subject to review and adjustment by the Department of Education and Department of Health.

SECTION 4. The owner or operator of any canteen, eatery, restaurant or store who 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 (P25,000.00) but not more than One hundred thousand pesos (P100,000.00), 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. 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 the canteen, eatery, restaurant or store shall be suspended for six (6) months.

SECTION 5. The Secretary of Education and the Secretary of Health shall issue the rules and regulations necessary for the effective implementation of this Act to include the periodic review and adjustment of the thresholds provided in Section 2 .

SECTION 6. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,