

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6357



Introduced by Representatives Ria Christina G. Fariñas
and Rudys Caesar G. Fariñas I

EXPLANATORY NOTE

Food labels help consumers make informed decisions about the food choices they make. Section 15, Article II of the Constitution states that "*the State shall protect and promote the right to health of the people and instill health consciousness among them.*"

Unfortunately, obesity is becoming a serious concern among Filipinos, which result in serious health problems including, but not limited to type 2 diabetes, heart disease, high blood pressure, arthritis, sleep apnea, some types of cancer, and stroke. Consumers are more interested than ever before in nutritional information, especially as the number of food-related diseases are on the rise.

The first component of healthy living is proper diet and nutrition. Although home-cooked food which allows for healthy choices of ingredients and processes is the practice that is ideally aligned with this component, there is also the reality that eating out is the more convenient alternative. Recognizing this, there is a need to create consciousness of the composition of the food items being consumed in commercial food establishments.

The Department of Health (DOH) issued Administrative Order No. 2014-0030 Series of 2014, entitled "*Revised Rules and Regulations Governing the Labelling of Prepackaged Food Products Further Amending Certain Provisions of Administrative Order 88-B.S. 1984 or the 'Rules and Regulations Governing the Labeling of Prepackaged Food Products Distributed in the Philippines,' and For Other Purposes*" to protect the consumers against hazards to health and safety and to provide information in order to facilitate sound choices in the proper exercise of their rights. With this administrative order, it is easy to track the calorie intake and nutritional information in packaged food, giving the consumers the necessary information to make healthy choices. Among the

exempted items from this administrative order, however, are food served or sold in restaurants.

This bill extends the benefit of informed and healthier choices to consumers of food served in restaurants by mandating all food establishments that is are part of an affiliation of twenty or more food service establishments under the same name to display the calorie count and nutritional information on their menu and menu boards. Informing consumers of the calorie and nutritional information of what they are eating.

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



RIA CHRISTINA G. FARIÑAS



RUDYS CAESAR G. FARIÑAS I

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AN ACT
MANDATING FOOD ESTABLISHMENTS TO DISPLAY THE NUTRITION FACTS AND
INFORMATION ON THEIR MENUS

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 “Mandatory Menu
Labeling Act.”

SEC. 2. **Declaration of Policy.** – It is the policy of the State to protect and
promote the right of the people to good health, and instill health consciousness
among them. The State recognizes that food intake is crucial to the promotion
of this policy and that there is a need to keep the consumers informed of the
nutritional composition of commercially sold food by food service
establishments in order to encourage healthier food choices.

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

(a) *Food service establishment* refers to an entity that is one of at least
twenty (20) entities or more doing business under the same name, regardless
of its type of ownership, and selling substantially the same menu items in
standard portions. It shall include, but not limited to, chain restaurants, chain

1 coffee shops, bakeries, self-service food locations, such as buffets and salad
2 bars, convenience stores.

3 (b) *Food items* refer to ready-to-eat and prepared food or beverage for
4 sale in a restaurant or food service establishment;

5 (c) *Food-on-display* refers to food offered for sale that is visible to a
6 customer before making a selection, and needs no further preparation before
7 consumption;

8 (d) *Standard menu item* refers to any individual food item or
9 combination of food items that is routinely listed on a menu or menu board, or
10 routinely offered for sale by a restaurant or fast food chain establishment;

11 (e) *Menu* refers to a printed list of food items and their prices posted in a
12 fast food chain or restaurant as defined in this Act, including fliers for
13 distribution;

14 (f) *Menu board* refers to any pictorial display of food items and their
15 prices posted in a fast food chain or restaurant as defined in this Act, including
16 those found in drive-thrus;

17 (g) *Nutritional and calorie information* refers to the total number of
18 calories and nutritional information, which shall be displayed in kilocalories of
19 each menu item on menu and menu boards;

20 (h) *Self-service food* refers to food and beverage that consumers may
21 help themselves to, including food offered for sale at a salad bar, buffet line,
22 cafeteria line; and

23 (i) *Standard menu item* refers to food or beverage items offered for sale
24 by a food facility through a menu or menu board.

1 SEC. 4. **Disclosure of Number of Calories.** – All food service
2 establishments, as defined under this Act, are hereby mandated to disclose
3 the total number of calories of each standard menu item and prominently
4 display these on their menus and menu boards, adjacent to the standard
5 menu item.

6 Disclosure and display of nutrition information shall not apply to
7 temporary menu items.

8 SEC. 5. **Calorie Content.** – The disclosure of nutrition content information
9 by food establishments, as required in the preceding section, shall indicate the
10 calories contained in a standard menu item to the nearest five-calorie
11 increment up to and including fifty (50) calories, to the nearest ten-calorie
12 increment above fifty (50) calories. For food with fewer than five (5) calories,
13 the declaration may be expressed as zero (0).

14 SEC. 6. **Nutrition Disclosure Compliance Certificate.** – Within six (6) months
15 from the effectivity of this Act, food service establishments are also directed to
16 apply for and secure a Nutrition Disclosure Compliance Certificate (NDCC)
17 from the Department of Health (DOH). The NDCC issued by the DOH shall be
18 valid for two (2) years from the date of issuance and may be renewed at least
19 thirty (30) days before its expiration. The DOH may refuse to renew the NDCC
20 of any food service establishment found to be in violation of this Act.

21 The failure of any restaurant or food service establishment to secure a
22 NDCC is a ground for suspension or revocation of its license to operate.

23 SEC. 7. **Penalties.** – A fine of not less than Twenty thousand pesos
24 (P20,000) but not more than One hundred thousand pesos (P100,000) shall be

1 imposed upon any person operating a food service establishment found to
2 have failed to comply with the mandatory nutrition information disclosures or
3 to have declared false or grossly inaccurate nutrition information regarding the
4 amount of calories or nutrients contained for each standard menu item.

5 SEC. 8. **Implementing Rules and Regulations.** – Within sixty (60) days from
6 the effectivity of this Act, the Secretary of Health shall issue the necessary rules
7 and regulations for the effective implementation of this Act.

8 SEC. 9. **Separability Clause.** – If any part or provision of this Act is
9 declared unconstitutional or invalid, the other parts which are not affected
10 shall remain in full force and effect.

11 SEC. 10. **Repealing Clause.** – All existing laws, orders, decrees, rules and
12 regulations or parts thereof inconsistent with the provisions of this Act are
13 hereby repealed or modified accordingly.

14 SEC. 11. **Effectivity Clause.** – This Act shall take effect fifteen (15) days
15 after its complete publication in the *Official Gazette* or in a newspaper of
16 general circulation.

17 Approved