

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5473

Introduced by CIBAC Party-List Representatives
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

AN ACT
REQUIRING THE DISPLAY OF CALORIE AND OTHER
NUTRITIONAL INFORMATION IN MENUS OF FOOD SERVICE
ESTABLISHMENTS AND FOR OTHER PURPOSES

EXPLANATORY NOTE

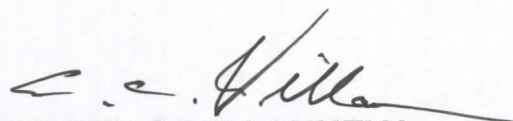
In the past decade, cardiovascular diseases have been one of the leading cause of mortality among Filipinos, which is largely attributed to an unhealthy lifestyle. In addition, an unhealthy lifestyle also contributes to an increase in body mass index, which in turn, increases the risk for non-communicable diseases. According to a 2017 report, there are approximately 18 million Filipinos who are obese and overweight. In 2016, the Philippines spent between US\$500 Million to US\$1 Billion for obesity-related problems, which are largely due to a huge spike in the incidence of related non-communicable diseases such as Type 2 diabetes, cancer, cardiovascular diseases and stroke.¹

Thus, there is a need to create policies that would encourage people to have a healthier lifestyle and a mechanism to inform them of the calorie content and nutritional information of the food they take. With the pressure of work and the family, Filipinos often resort to eat out, whose food items usually have more calories, sodium and saturated fat.

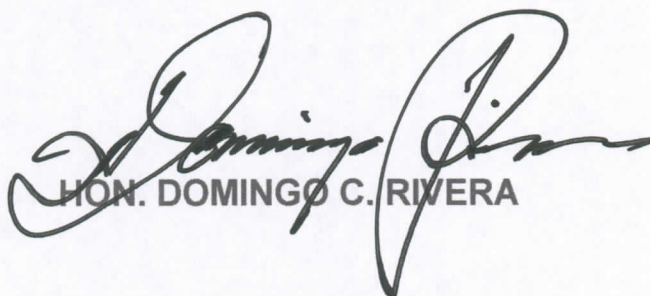
¹ 2017, July 20. Obese Filipinos now ballooning. Retrieved from: <https://businessmirror.com.ph/2017/07/20/obese-filipinos-now-ballooning/> (date last accessed: July 7, 2019).

To address the problems of obesity and improper nutrition among Filipinos and to encourage them to have a healthier lifestyle, this bill requires the disclosure of calorie content in menus of food service establishments. Written nutritional information may also be provided to the customer upon request. This bill requires covered food establishments to prominently display this information so that customers will be able to make a more informed decision towards a proper and healthier lifestyle.

Hence, the immediate passage of this bill is earnestly sought.



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA



HON. DOMINGO C. RIVERA

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Menu Labeling Act."
2

3 **SECTION 2. Definition of Terms.** – For purposes of this Act, the following terms are
4 hereby defined:
5

- 6 a. **Calorie content information** refers the total number of calories per standard
7 menu item, as that item is usually prepared and offered for sale;
8
9 b. **Covered food establishment** refers to any food establishment that is part of a
10 group of fifteen (15) or more food service establishments doing business under
11 common ownership or control, or as franchised outlets of a parent business, or
12 that do business under the same name or that voluntarily register with the Food
13 and Drug Administration (FDA) to be covered;
14
15 c. **Food** refers to a unit serving of ready-to-eat food or beverage for sale in a
16 restaurant or food service establishment;
17

- 1 d. **Food-on-display** refers to food offered for sale that is visible to a customer
2 before making selection, and needs no further preparation before consumption;
3
4 e. **Menu** refers to a printed list or pictorial display of a food item or items, and their
5 price(s), that are available for sale from a covered food service establishment
6 and shall include menus distributed or provided outside of the establishment,
7 specialty menus, such as drink and dessert menu, drive-thru and online menus;
8
9 f. **Menu Board** refers to any list or pictorial display of a food item or items and
10 their price(s) posted in and visible within a covered food service establishment;
11
12 g. **Standard Menu Item** refers to any individual food item or combination of food
13 items that is routinely listed on a menu or menu board, or routinely offered for
14 sale by a covered food service establishment.

15
16 **SECTION 3. Disclosure of Calorie and Nutritional Information.** – Covered food
17 establishments shall disclose and display the calorie content information of each
18 standard menu item on their menus and menu boards as usually prepared and sold
19 to the public. The calorie content information must be prominently and distinctly
20 displayed adjacent to the name or price of the menu item in a type size no smaller
21 than that of the name or price of the menu item, whichever is smaller.

22
23 Food establishments offering self-service food and food-on-display shall post the
24 nutrient content information of such food on a sign adjacent to such food.

25
26 In addition, menu and menu boards of all covered establishment must prominently
27 display the following: "Additional nutrition information available upon request." Such
28 statement must appear prominently on the bottom of the menu board and may also
29 be placed on signs, posters, tray liners, counter cards, handouts, binders, kiosks, or
30 computer, as appropriate.

31
32 The written nutritional information shall indicate the amount of each nutrient,
33 including, but not limited to, the following:

- 34
35 a) Total fat;
36 b) Saturated fat;
37 c) Cholesterol;
38 d) Sodium;
39 e) Total carbohydrates;
40 f) Complex carbohydrates;
41 g) Sugars;
42 h) Dietary fiber; and
43 i) Total protein

44
45 Notwithstanding anything to the contrary, the mandatory disclosure and display of
46 calorie and nutrition information as required under this Section shall not apply to
47 custom orders prepared in a specific manner based on customer's request,
48 temporary menu item which appear in the establishment's menu board for less than

thirty (30) days per year, general use condiments, and foods that are part of a customary market test or temporary menu items.

SECTION 4. Calorie Content Information. – The calorie content information of each standard menu item shall be expressed to the nearest five-calorie increment up to and including fifty (50) calories, to the nearest ten-calorie increment above fifty calories. For foods that have fewer than five (5) calories, the declaration may be expressed as zero (0).

SECTION 5. Transitory Period and Disclosure Compliance Certificate. – Covered establishments shall have a period of one (1) year from the approval of this Act to comply with the requirements herein provided. Thereafter, all covered establishments must obtain a Nutritional Disclosure Compliance Certificate (NDCC) from the Department of Health (DOH). The NDCC 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 a covered establishment in the event of violation or non-compliance of any provisions 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 6. Penalties. – DOH, after notice and hearing, shall impose a fine of not less than Twenty Thousand Pesos (P20,000.00) but not more than Two Hundred Fifty Thousand Pesos (P250,000.00) upon any covered establishment that fail to comply with the requirements under this Act, or that is found to have knowingly declared false or inaccurate nutrition information regarding the amount of calories or nutrients contained in each standard menu item.

SECTION 7. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the DOH and the FDA, in consultation with relevant stakeholders, shall issue the rules and regulations for the effective implementation of this Act.

SECTION 8. Separability Clause. – If any provision of this Act or any part thereof shall be declared unconstitutional or invalid, the other provisions, as far as they are separable, shall remain in force and effect.

SECTION 9. Repealing Clause. – All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 10. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general Circulation.

Approved,