Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6420

AN ACT
PROTECTING AND PROMOTING PUBLIC HEALTH THROUGH APPROPRIATE, TRANSPARENT AND EASILY COMPREHENSIBLE LABELLING OF ALL PROCESSED AND SEMI-PROCESSED FOOD PRODUCTS CONTAINING FREE SUGARS AND FOR OTHER PURPOSES

Introduced by **REPRESENTATIVE CONRADO M. ESTRELLA III**

EXPLANATORY NOTE

This bill seeks to protect the public, especially the children, from the dangers to their health of the unregulated consumption of free sugars that are freely available in the market. According to the World Health Organization (WHO) and the Food and Agriculture Organization (FAO), free sugars are all monosaccharides and disaccharides added to foods by manufacturers, cooks or consumers as well as sugars naturally present in honey, syrups, and fruit juices.

The first danger of free sugars is its energy density given the (a) concentration of calories in monosaccharides (single sugars) and disaccharides (double sugars) and (b) the refining process through which most of these are generated in such ways that fibers and other forms of roughage are removed thereby isolating only sugary calories. While this density can help maintain a positive energy balance, it "crowds out" markedly more nutritious foods that have comparable levels of calories but with more fiber, minerals and essential nutrients. This result in generally more unhealthy diets. A direct consequence of the energy density of free sugars is that it makes it extremely easy for free sugar consumers to greatly exceed their daily caloric requirement and put on weight without gaining the desired essential nutrients.

The second danger of free sugars lie in their simplicity. Carbohydrates are sugars that come in two (2) main forms - simple and complex. Simple carbohydrates are free sugars that are rapidly digested and raise blood glucose levels immediately. Complex carbohydrates or starches, on the other hand, are comprised of longer chemical chains and thus, take longer to break down.

Regular consumption of free sugars cause glucose levels to behave erratically (i.e. spike and plummet), causing headaches and fatigue. More perniciously, rapid drops in blood glucose levels "trick" the body into thinking that it is hungry, thereby triggering the over consumption of calories and perpetuating a vicious cycle (i.e. consume sugar, feel hungry, consume more sugar). This cycle increases the tendency towards gaining weight.

The third danger is in how free sugars interact with our internal organs. Free sugars are metabolized in the same way as alcohol (i.e. it converts sugars into fat). Excessive consumption of free sugars greatly increases the risk of developing complications including but not limited to fatty liver disease. Studies point to the role of free sugars in increasing blood pressure through constricting blood vessels via increasing insulin resistance. Both these issues contribute to the risk of heart ailments. There is also a strong correlation between Type 2 diabetes and free sugars. While any direct causal relationship has yet to be found, the pathway from the consumption of free sugars to diabetes is the over consumption of calories. People can develop Type 2 diabetes through the excessive consumption of calories which free sugars facilitate.

The fourth danger of free sugars is its addictive nature, Evidence shows that free sugars is highly addictive as it develops and reinforces neurological reward pathways. This means that it is extremely easy to fall into the aforementioned pitfalls associated with excessive consumption of free sugars. Not only are free sugars easy to incorporate into a diet, but they are also very difficult to remove once they have been embedded through habit.

If alcohol and tobacco, which are viewed as addictive substances with harmful side effects, are heavily regulated, then free sugars should be subject to at least some level of governmental health regulation as well. The harmful effects of free sugar are mostly unknown to the public because it is not subject to the same scrutiny as alcohol and tobacco. The fact is that free sugars pose more harm, especially to children, than alcohol and tobacco because they are widely available and aggressively marketed to young children. Sugary breakfast cereals, for example, are peddled as healthy options when, in fact, they are loaded with free sugars.

The WHO recommends restricting sugar consumption to approximately 5% to 10% of total caloric intake. Given a baseline of 2000 calories, sugar consumption should be 100 calories or not exceeding 200 calories. Given that 10 grams of sugar has approximately 40 calories, this implies that sugar consumption should be capped at roughly a maximum of 50 grams.

While most products nowadays have nutrition labels, these labels are incomprehensible to most consumers because of the usage of *grams* and *kcal* which are alien terms to consumers. These terms are difficult to visualize and contextualize that even if the nutrition facts indicate the amount of free sugars

present in *grams* and *kcal*, consumers cannot grasp just how much free sugars there are.

Moreover, essential nutrition facts are NOT placed prominently (front and center) in the packaging of food products, but are instead in small print placed at the back or side of containers. This means that people are (a) not enabled to sufficiently be informed and to understand the health implications of the contents of the nutrition labels, and (b) they are not encouraged to look at nutrition labels.

This bill aims to remedy the malaise in current nutrition labelling practice. It seeks to warn the public of the dangers of over consumption of free sugars and of products made of or containing them. It provides a viable alternative by requiring that instead of *grams* and *kcal*, the number of tablespoons of sugar per serving (a more easily understandable way of providing information on free sugar content of products) be indicated in front of the packaging. This makes it easier to identify high-sugar products and enable consumers to make better informed comparisons between and among products.

Further, to make it easier for consumers to flag high-sugar products, a color-coded labelling scheme is proposed to be adopted, i.e. products with high sugar content can have RED tablespoons (leveraging the color RED as a warning sign), while low sugar products can have GREEN tablespoons. The colors are dependent on the distance to the 100-gram limit suggested by the WHO.

Sugar labelling as proposed in this bill is not simply a pro-public health measure. It is strongly a pro-children's health measure because it seeks to protect children from the real dangers of obesity, diabetes, high blood pressure and heart ailments that are the results of over consumption of free sugars that have become readily available in aggressively marketed food products for children. Protecting the health of our children is protecting the future of our nation.

Under the premises, approval of this bill is strongly recommended.

CONRADO M. ESTRELLA III
Deputy Speaker
Representative, ABONO Party-list

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Be it enacted by the Senate and the House of Representatives of the Philippines in session assembled,

Section 1. *Title.* – This Act shall be known as the "Sugar Labelling Act of 2020".

Section 2. *Declaration of Policy.* – The State shall, at all times, protect and promote the health of the people and instill health consciousness among them. It shall also maintain an effective food regulatory system responsive to the health needs of the people.

Section 3. -_*Sugar Labelling.* – All processed and semi-processed food products, whether locally produced or imported from other countries, which are sold, distributed or traded commercially in any part of the country shall have and bear appropriate, transparent and easily comprehensible labelling that fully indicates and informs consumers of the amount of free sugars per serving that was used, is present or contained in the product.

Instead of grams and kcals to indicate sugar content per serving, the number of tablespoons of sugar per serving shall be used to indicate sugar content in the nutrition label which shall be in large or bold print and prominently displayed in the front part, not the side or back part, of the packaging of all processed food products.

Further, the sugar labelling shall be color coded to better enable consumers to flag high-sugar products. Products with high sugar content will use red tablespoons while low sugar products will have green tablespoons. The colors shall be determined on the basis of the distance to the 100-gram limit recommended by the World Health Organization (WHO).

Section 5. *Penalty Clause.* – Any person, natural or juridical, who produces, manufactures or imports for commercial purposes, sells, trades, or commercially distributes processed or semi-processed food products which are not compliant to the sugar labelling mandated in this Act shall be liable to pay a fine of not less than One Million Pesos for every non-compliant product and the revocation of the permit, license or authority to produce, manufacture, sell, trade or import, as the case may be.

Section 4. *Implementing Regulations.* - The Department of Health and the Department of Trade and Industry shall prepare and promulgate the implementing rules and regulations of this Act within sixty (60) days after its effectivity.

Section 5. *Repealing Clause.* – All laws, decrees, orders and issuances which are contrary to this Act or to any provision thereof shall be deemed to have been modified, altered or repealed accordingly.

Section 6. *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,