

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**SEVENTEENTH CONGRESS**

First Regular Session  
**1970**

House Bill No. \_\_\_\_\_

HOUSE OF REPRESENTATIVES

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**Introduced by Representatives**  
**Estrellita B. Suansing and Horacio P. Suansing, Jr.**

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**EXPLANATORY NOTE**

The World Health Organization (WHO) said that hunger and malnutrition are the world's greatest threat to public health. The same could be said in the Philippines.

The following statistics show the status of hunger and malnutrition in the country:

- The United Nations (UN) estimates that 6 million Filipino children are malnourished<sup>1</sup>, with 66% under the age of 6 do not receive childcare;
- More than 32% of children under 5 suffer from moderate to severe stunting due to malnutrition<sup>2</sup>;
- The Second Quarter 2014 Social Weather Survey, fielded over June 27-30, 2014, found 16.3% or an estimated 3.6 million families experiencing involuntary hunger at least once in the past three months<sup>3</sup>;
- Malnutrition has long been a serious concern in Mindanao, where a significant number of children are already undernourished<sup>4</sup>;
- The banner story of a well-known news publication stated that poverty pushes more than half of elementary pupils to severe malnutrition. "The Department of Education disclosed that 562,262 pupils in kindergarten and elementary levels enrolled in public schools this year have been considered "severely wasted" based on nutritional status as of August 31, 2012."<sup>5</sup>

Hunger and nutrition must be addressed, specially amongst children. It must be addressed now.

It is a premium rationale for this bill that the government must now institutionalize a National School Feeding Program for public kindergarten and elementary pupils to ensure that children, throughout their early childhood years receive adequate nutrition; improve survival rates attendance in schools; enhance the physical, social, cognitive, psychological, and language development in young

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<sup>1</sup> The Philippine Star, (<http://www.philstar.com/headlines/2012/10/11/858285/6-million-pinoy-children-malnourished-un-report>), 11 October 2012

<sup>2</sup> UNICEF Annual Report 2013 - Philippines

<sup>3</sup> Second Quarter 2014 SWS, 01 August 2014

<sup>4</sup> UNICEF ([http://www.unicef.org/philippines/media\\_18129.html#.VDNp2fmSw\\_k](http://www.unicef.org/philippines/media_18129.html#.VDNp2fmSw_k))

<sup>5</sup> [www.inquirer.net](http://www.inquirer.net), 25 December 2012


children; mitigate malnourishment; and establish an efficient system of early identification, prevention, referral and intervention of developmental disorders and disabilities in early childhood.

It is the full intent of this legislation to seek the full participation of all relevant government agencies, including the local government units (LGUs) and the parents through the Parent-Teacher Associations, so that it can be meaningfully implemented. Our children, and our children's children, must be spared from the bondage of poverty so that they can have true opportunities in the future.

This bill is a re-file of House Bill No. 5618, filed during the 16<sup>th</sup> Congress and approved on Third Reading on May 19, 2015.

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

  
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1<sup>st</sup> District, Nueva Ecija

  
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**Introduced by Representatives**  
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**AN ACT**  
**INSTITUTIONALIZING THE NATIONAL SCHOOL FEEDING PROGRAM FOR**  
**PUBLIC KINDERGARTEN AND ELEMENTARY PUPILS AND APPROPRIATING**  
**FUNDS THEREFOR**

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

1       **SECTION 1. Short Title.** – This Act shall be known as the “National School  
2       Feeding Program (NSFP) Act.”

3       **SECTION 2. Declaration of Policy.** – It is hereby declared the policy of the  
4       State to promote the rights of children to survival, development, and special  
5       protection with full recognition on the nature of childhood and its special needs.

6       Recognizing the direct correlation between good nutrition and the propensity  
7       of children to develop into physically and mentally healthy individuals, the State  
8       shall endeavor to promote and fortify proper nutrition among school children,  
9       especially those belonging to low-income households, in order to safeguard them  
10      from the ill effects of malnutrition and to enhance as well their learning capacities.

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

- 12           a. *Fortified food* refers to food with deliberately increased content of  
13           essential micronutrient, i.e. vitamins and minerals (including trace  
14           elements) irrespective of whether or not the nutrients were originally in  
15           the food before processing, so as to improve the nutritional quality of  
16           the food supply and to provide a public health benefit with minimal  
17           risk to health;
- 18           b. *Fresh milk* refers to pasteurized fresh milk with limited shelf life,  
19           usually seven (7) to ten (10) days, and requiring refrigeration;
- 20           c. *Fresh milk-based food* refers to food product containing fresh milk  
21           blended with powdered milk;
- 22           d. *National Household Targeting System for Poverty Reduction (NHTS-PR)* or  
23           *Listahanan* refers to an information management system that identifies

1 who and where the poor are in the country and serves as a reference in  
2 identifying potential beneficiaries of social protection program; and

- 3 e. *Powdered milk* refers to a manufactured dairy product made by  
4 evaporating milk into powder form purposely to preserve it and to have  
5 a far longer shelf life than liquid milk due to its low moisture content.

6 **SECTION 4. Objectives.** – The National School Feeding Program (NSFP) shall  
7 pursue the following objectives:

- 8 a. Ensure that adequate health and nutrition programs are accessible to  
9 school children throughout their early childhood years;
- 10 b. Achieve improved survival rates attendance in public kindergarten and  
11 elementary schools;
- 12 c. Enhance the physical, social, cognitive, psychological, and language  
13 development of young children;
- 14 d. Mitigate malnourishment among school children, thus ensuring that  
15 they will be adequately prepared for the formal learning system; and
- 16 e. Establish an efficient system for early identification, prevention,  
17 referral, and intervention of developmental disorders and disabilities in  
18 early childhood.

19 **SECTION 5. Establishment of the NSFP.** – The NSFP is hereby established as  
20 an alternative approach of providing free supplementary meals, including fresh milk-  
21 based food products, through a program menu that shall be designed by the  
22 Department of Education (DepED) particularly for children studying in public  
23 kindergarten and elementary schools nationwide.

24 **SECTION 6. Implementation and Interagency Coordination.** – The DepED is  
25 hereby authorized to lead in the administration and implementation of the NSFP.

26 In coordination with the DepED, the following national government agencies  
27 shall be tasked to make available such resources as may be necessary to ensure the  
28 successful implementation of the NSFP:

- 29 a. The Department of Agriculture (DA) and the National Food Authority  
30 (NFA) shall tap farmers associations and cooperatives in the locality for  
31 possible sources of food supplies and shall share with the DepED any  
32 available resources and facilities that may be used for the NSFP;
- 33 b. The Department of Interior and Local Government (DILG) shall help  
34 enlist the support of the local government units (LGUs) as DepED  
35 partners in the operation of the NSFP, including the possibility of  
36 utilizing the services of barangay nutrition scholars and barangay  
37 health workers.

- c. The Department of Social Welfare and Development (DSWD) shall support the DepED by ensuring the availability of data on poor households based on the NHTS-PR or Listahanan;
- d. The Department of Trade and Industry (DTI, the DA, the Department of Health (DOH) and the Food and Drug Administration (FDA) shall help the DepED look for cost-effective sources of foodstuff, vaccines, and vitamin supplements;
- e. The National Economic and Development Authority (NEDA) shall support the DepED in the determination of official development assistance sources to expand the inputs needed in the NSFP;
- f. The National Dairy Authority (NDA) shall support the DepED in the procurement of fresh milk-based food products and in coordinating with local cooperatives and dairy corporations for the availability of milk supplies needed; and
- g. The National Nutrition Council (NNC), in coordination with the Food and Nutrition Research Institute (FNRI), shall provide the menu consisting of a combination of foods that meet the recommended energy and nutrient intake of children.

The DepED, the participating national government agencies, and other concerned stakeholders shall execute a Memorandum of Agreement specifying the necessary arrangements relative to the operation of the NSFP.

**SECTION 7. *Mechanics of the NSFP.*** – In addition to its interdepartmental coordinative and consultative tasks during the operation of the NSFP, the DepED shall oversee the following activities:

- a. Administer the NSFP, in coordination with concerned government institutions, for a minimum of one hundred twenty (120) feeding days per school year to be done five (5) days a week with one (1) feeding activity per school day;
- b. Conduct orientation-training activities utilizing its core of trainers to all DepED health and nutrition unit personnel at the regional and division levels so as to generate their support to the NSFP's objectives and mechanics. DepED personnel trained at the schools division level shall be responsible for training the staff at the district and municipal levels while those trained at the district and municipal levels shall be responsible for training the implementers and feeding coordinators at the school level;
- c. Conduct orientation meetings with parents and pupils utilizing the DepED feeding coordinators for proper information dissemination on the NSFP's objectives and mechanics and in the process generate stakeholders' support for the program;

- d. Conduct simultaneous health examinations, including deworming and vaccination activities, to participating pupils during the orientation meeting set for parents and pupils. The school's medical staff or the medical staff of a public health center in the community shall take charge and provide proper treatment or referral to a hospital for pupils who are found to have defects or ailments. Classroom advisers, who are required to undergo proper training to be conducted by the barangay nutrition scholars and barangay health workers, shall note their observations regarding the pupil's health condition, including the measurement of the pupil's height and weight before the start of the feeding program and every month thereafter for the entire duration of the feeding program;
- e. Make available the necessary food supplies such as:
- i. Fresh milk-based and fortified foods; and
  - ii. Vitamin supplements in such dosages and for such duration as the DOH may determine most beneficial to the child's health and nutritional well-being; and
- f. Ensure that the beneficiary school children eat their meals and drink their milk inside the classroom only, and shall thus be prohibited from taking their ration home.

**SECTION 8. *Procurement, Storage and Handling System.*** – The procurement, storage and handling of appropriate food supplies shall be spearheaded by the DepED, in coordination with the NNC, the FNRI and other concerned government agencies. The DepED shall seek the help of the DA in tapping the services of local farmers associations and cooperatives for the procurement of locally produced food supplies and shall encourage contracts with farmers associations and cooperatives in accordance with existing procurement laws.

In the procurement program, priority shall be given to the utilization of locally produced fresh milk and locally available food supplies, utilizing as well the products of the Gulayan sa Paaralan Project (GPP) of the DepED and the products of community gardens as part of convergence efforts to increase food supplies at the local level.

The DepED shall issue the guidelines necessary for the effective implementation of the procurement, storage and handling system.

**SECTION 9. *Priority LGUs.*** – In case of shortage of funds, priority in the implementation of the NSFP shall be given to municipalities and cities which are determined and identified by the NNC or by any competent government agency to have high malnutrition rates.

**SECTION 10. *Participation of LGUs.*** – The Secretary of Education shall initiate partnerships with LGU officials to encourage them to contribute available resources to the feeding program in public schools within the LGUs' respective area of jurisdiction.



**SECTION 11. *Participation of Parent-Teacher Associations (PTAs).*** – the DepED shall promote the involvement of parents through the PTAs in the planning, implementation, monitoring, and evaluation of the school feeding program.

**SECTION 12. *Monitoring and Evaluation System.*** – The DepED shall establish a monitoring and evaluation system for the nationwide implementation of the NSFP, which shall incorporate periodic reports from the schools division and regional offices. The report shall provide, among others, the needed information that may determine whether or not the program has achieved its objectives, including the identification of issues and constraints as well as the corresponding appropriate recommendations.

**SECTION 13. *Tax Exemption.*** – Any donation or bequest made to the DepED for the NSFP shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the National Internal Revenue Code of 1997, as amended: *Provided,* That the donation is duly approved by the Secretary of Education upon the recommendation of the Executive Director of the NNC, in case of food products, and the Secretary of Health, in case of vaccine and vitamin products.

**SECTION 14. *Appropriations.*** – The amount necessary to cover the initial implementation of this Act shall be charged against the appropriation of the DepED for school-based feeding program under the current General Appropriations Act. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

**SECTION 15. *Implementing Rules and Regulations.*** – Within ninety (90) days from the approval of this Act, the Secretary of Education, in consultation with the heads of other participating government agencies, shall formulate the rules and regulations implementing the provisions of this Act. The implementing rules and regulations issued pursuant to this Section shall take effect thirty (30) days after its publication in two (2) national newspapers of general circulation.

**SECTION 16. *Separability Clause.*** – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in full force and effect.

**SECTION 17. *Repealing Clause.*** – All laws, decrees, orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

**SECTION 18. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,