

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE

COMMITTEE REPORT NO. 21



Submitted *jointly* by the Committees on Education, Arts and Culture; Youth; Ways and Means; Agriculture and Food; Health and Demography and Finance on DEC 12 2016

Re: Senate Bill No. 1279

Recommending its approval in substitution of Senate Bill Nos. 23, 123, 160, 220, 406, 416 and 694

Sponsor: Senator Paolo Benigno "BAM" Aquino IV

MR. PRESIDENT:

The Committees on Education, Arts and Culture; Youth; Ways and Means; Agriculture and Food; Health and Demography and Finance to which were referred, Senate Bill No. 23 introduced by Sen. Honasan II, entitled:

AN ACT PROVIDING FREE FOOD FOR CHILDREN IN PUBLIC SCHOOLS AND DAY CARE CENTERS FROM PRODUCTS OF FARMERS PURCHASED BY THE GOVERNMENT OTHERWISE KNOWN AS SCHOOL FEEDING PURCHASED FROM POOR FARMERS PROGRAM

Senate Bill No. 123, introduced by Sen. Zubiri, entitled:

AN ACT PROVIDING FOR FREE MEALS FOR STUDENTS OF THE PUBLIC EDUCATION SYSTEM PARTICULARLY SCHOOLCHILDREN FROM KINDERGARTEN TO JUNIOR HIGH SCHOOL, FOLLOWING THE K-12 POLICY, PROVIDING FRAMEWORK FOR ITS IMPLEMENTATION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Senate Bill No. 160, introduced by Sen. Poe, entitled:

AN ACT INSTITUTING A FREE NUTRI-MEALS PROGRAM TO CHILDREN ENROLLED IN ALL ELEMENTARY SCHOOLS INCLUDING KINDERGARTEN AND HIGH SCHOOLS IN THE K-12 PUBLIC EDUCATION SECTOR, PROVIDING FRAMEWORK FOR ITS MEANINGFUL IMPLEMENTATION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Senate Bill No. 220, introduced by Sen. Sotto III, entitled:

AN ACT INSTITUTING A SCHOOL NOURISHMENT AND DIETARY PROGRAM TO ALL PUBLIC ELEMENTARY SCHOOL STUDENTS PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES

Senate Bill No. 406, introduced by Sen. Legarda, entitled:

AN ACT MANDATING THE ESTABLISHMENT OF VEGETABLE GARDENS IN ALL ELEMENTARY AND SECONDARY SCHOOLS, AND FOR OTHER PURPOSES

Senate Bill No. 416, introduced by Sen. Legarda, entitled:

AN ACT PROVIDING FOR A MANDATORY NATIONWIDE CHILD NUTRITION PROGRAM IN ALL PUBLIC ELEMENTARY SCHOOLS AND BARANGAY DAY CARE CENTERS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Senate Bill No. 694, introduced by Sen. Aquino IV, entitled:

AN ACT CREATING A SYSTEM OF FOOD PURCHASE SUPPORTING LOCAL PRODUCTION AND A PROGRAM OF DISTRIBUTION ADDRESSING THE NUTRITIONAL NEEDS OF CHILDREN

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 1279, prepared by the Committees, *entitled:*

**AN ACT CREATING A NATIONAL SCHOOL FEEDING PROGRAM TO COMBAT HUNGER AND
UNDERNUTRITION FOR ALL PUBLIC BASIC EDUCATION STUDENTS, AND FOR OTHER PURPOSES**

be approved in substitution of Senate Bill Nos. 23, 123, 160, and 694 with
Senators Honasan II, Zubiri, Poe and Aquino IV as authors thereof.

Respectfully Submitted:

Chairpersons

SEN. PAOLO BENIGNO "BAM" AQUINO IV
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Vice-Chair, Youth; Ways and Means; Finance
Member, Agriculture and Food

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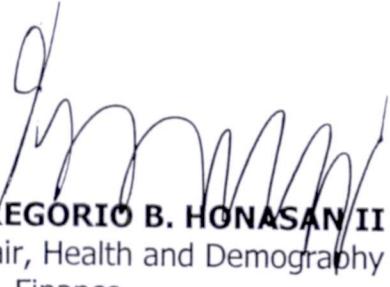
SEN. LOREN LEGARDA
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SEN. WIN GATCHALIAN
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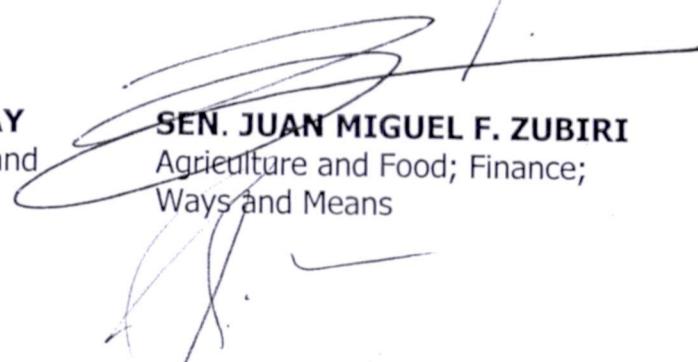
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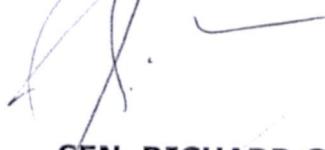

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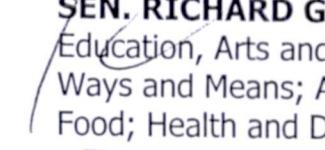

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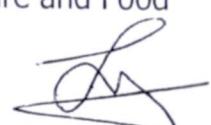
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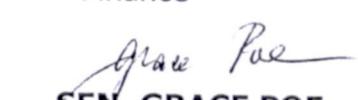

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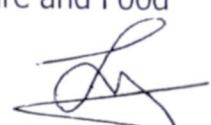

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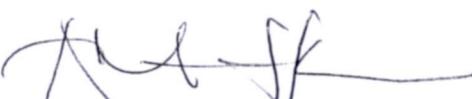

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SEN. VICENTE C. SOTTO III
Majority Floor Leader

Ex-Officio Members

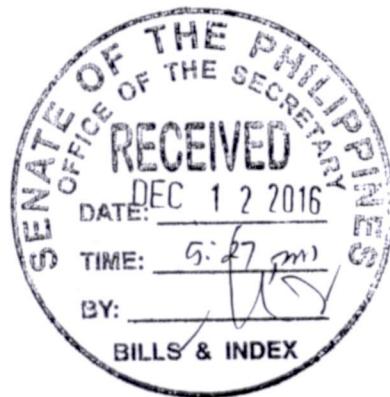

SEN. RALPH RECTO
Minority Floor Leader

SEN. FRANKLIN M. DRILON
President Pro-Tempore

HON. AQUILINO "KOKO" PIMENTEL III
Senate President

SEVENTEENTH CONGRESS OF THE REPUBLIC
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First Regular Session

SENATE
S.B. No. 1279



(In substitution of Senate Bill Nos. 23, 123, 160, 220, 406, 416 and 694)

Prepared Jointly by the Committees on Education, Arts and Culture; Youth; Ways and Means; Agriculture and Food; Health and Demography and Finance with Senators Honasan II, Zubiri, Poe, Sotto III, Legarda and Aquino IV as authors thereof

AN ACT CREATING A NATIONAL SCHOOL FEEDING PROGRAM TO COMBAT HUNGER AND UNDERNUTRITION FOR ALL PUBLIC BASIC EDUCATION STUDENTS, AND FOR OTHER PURPOSES

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 "Pagkaing Pinoy para sa Batang
2 Pinoy Act."

3 **SEC. 2. Declaration of Policies.** — The State recognizes the vital role of the youth in
4 nation-building and shall promote and protect their physical, moral, spiritual,
5 intellectual, and social well-being. In recognition of the demonstrated relationship
6 between food and nutrition, and the capacity of students to develop and learn, the
7 State shall address the problem of hunger and undernutrition, and the attainment of
8 educational outcomes among all public basic education students and enhance the
9 learning process by developing, establishing, and implementing a national school
10 feeding program for all students in the public basic education system throughout the
11 country. It is also the policy of the State to free our people from poverty by providing a
12 guaranteed market for the products of our farmers, thereby promoting full employment
13 in the agricultural sector, presently the sector with the highest poverty incidence.

14 **SEC. 3. National School Feeding Program.** — The National School Feeding Program,
15 hereinafter referred to as the Program, is hereby created to address hunger and
16 undernutrition, and the attainment of educational outcomes in public basic education.

1 **SEC. 4. Creation of a National Nutrition Targeting System.** — The National Nutrition
2 Council (NNC) shall harmonize all existing nationwide nutrition and poverty databases
3 that identify individuals, groups, and/or localities that have the highest magnitude of
4 hunger, undernutrition, and poverty.

5 **SEC. 5. Cycle Menu.** — The Department of Education (DepEd), in coordination with NNC
6 and the Food and Nutrition Research Institute (FNRI), shall prepare a menu to be served
7 to all public basic education students. The menu needs to be drawn up according to age
8 range, type of school, and local cultural eating preferences, within recommended
9 standards. At least one third (1/3) of the daily requirement shall be provided based on
10 the Philippine Dietary Reference Intake (PDRI).

11 **SEC. 6. Technical Training and Assistance on Food Preparation, Safety, and Sanitation.**
12 — DepEd, in consultation with the Department of Health (DOH), the Technical Education
13 and Skills Development Authority (TESDA), other relevant government agencies and
14 non-government organizations, shall develop a program to provide the food service
15 personnel and/or other suppliers for the feeding program with technical training and
16 assistance in the preparation of healthy and nutritious meals, food safety, sanitation,
17 and efficient kitchen management.

18 **SEC. 7. National School Feeding Program Modalities.** — Basic education institutions
19 with local government units, in coordination with non-government organizations and
20 other development partners shall utilize any of the following modalities in the operation
21 of the Program:

- 22 a) Centralized Kitchen in a Public School – Public basic education institutions
23 may share one centralized kitchen in one public school where the
24 preparation of meals shall be done.
- 25 b) Centralized Kitchen in the Local Government – Public basic education institutions
26 in one local government may acquire the meals from one
27 centralized kitchen operated by the local government unit.
- 28 c) School-based/In-house – Public basic education institutions may operate a
29 kitchen in their own grounds.

31 **SEC. 8. Nutrition Promotive Programs.**

- 32 a) Gulayan sa Paaralan – Public basic education institutions shall maintain an in-
33 house gardening program to augment the National School Feeding Program.
34 If such already exists, schools shall strengthen the program. Parents shall be
35 encouraged to maintain a similar program in their own households. City or
36 municipal Agricultural Officers shall provide assistance in the maintenance of
37 the Gulayan sa Paaralan program.

- 1 b) Water, Sanitation, and Hygiene (WASH) – Public basic education institutions
2 shall establish and maintain water and sanitation facilities, promote good
3 hygiene and safe food preparation, and conduct deworming of students
4 twice during the school year. This is to address health-related issues such as
5 diarrhea, worm infestation, and chronic enteropathy that result to
6 undernutrition.
- 7 c) Micronutrient Supplementation – Public basic education institutions shall
8 provide for micronutrient supplementation among its students in the form of
9 micronutrient powder, iron supplementation, and iodized salt utilization. This
10 is to address micronutrient deficiency particularly iron deficiency anemia that
11 result to sickness and/or undernutrition.

12 **SEC. 9. National Nutrition Distribution System.** — The Program shall be implemented
13 initially in locations identified to have the most number of beneficiaries based on the
14 National Nutrition Targeting System. A maximum pilot period of three (3) years shall be
15 given to the implementing agencies to develop the program that would be
16 representative of all possible modalities and area typologies.

17 **SEC. 10. Integrated Nutrition Education, Behavioral Transformation, and Social**
18 **Preparation.** — The Program shall be complemented by public health, nutrition, and
19 values transformation campaign programs, which aim to promote a holistic and
20 integrated approach to health and nutrition education in the public basic education
21 system. For this purpose, relevant and user-friendly nutrition information, education,
22 and values formation materials shall be developed and distributed in public schools.
23 Orientation-training shall be held among DepEd personnel at the regional and division
24 levels, concerned local government representatives, parent volunteers, and the parent-
25 teacher associations (PTAs), to orient them on the Program's objectives and mechanics,
26 and generate support for the Program.

27 **SEC. 11. Procurement of Produce.** — The concerned government institution is hereby
28 mandated to ensure that preference for procurement of produce is given to producers
29 and/or suppliers within the locality.

30 **SEC. 12. Registry of Local Producers and Suppliers.** — The Department of Agriculture
31 (DA), Department of Social Welfare and Development (DSWD), Department of Trade
32 and Industry (DTI), and Department of Agrarian Reform (DAR), shall keep and regularly
33 update a list of local producers and suppliers. It shall use the Registry for Basic Sectors in
34 Agriculture (RSBSA), Regional Field Office (RFO) list of beneficiaries, the Bureau of
35 Fisheries and Aquatic Resources' National Program for Municipal Fisherfolk Registration
36 (BFAR FishR) for fisherfolk, and any other list it may deem necessary to keep the registry
37 up to date.

1 **SEC. 13. Procurement Process for Local Producers and Suppliers.** — For the purposes of
2 this Act, procurement from local producers and suppliers shall be exempt from the
3 procurement process as stated in Republic Act No. 9184, otherwise known as the
4 Procurement Law. Provided, That the local producers and suppliers shall undergo
5 Negotiated Procurement Participation under the guidelines of the Government
6 Procurement Policy Board (GPPB) and specified under this Act.

7 **SEC. 14. Negotiated Procurement Participation.** — Local producers and suppliers shall
8 enter a Negotiated Procurement with the government under the guidelines of the GPPB
9 when the following conditions are met:

- 10 a) DA Validation – certification from the DA and/or any of its tasked agency that
11 the individual or family is indeed included in the Registry of Local Producers and
12 Suppliers;
- 13 b) Produce/Product Sustainability – participants have the ability to continue to
14 meet the demand for their produce or product for prolonged periods of time,
15 with or without government intervention;
- 16 c) Community Enrichment – there is a viable means of improving the well-being
17 of the community where the local producers and/or suppliers are situated. This
18 seeks to extend the benefits that may arise from the contract between the local
19 producers and/or suppliers and the government. The goal is to achieve positive
20 outcomes such as poverty reduction, access to education, equitable distribution,
21 and management of natural resources, climate change adaptation/mitigation,
22 disaster risk reduction, gender equality, disease reduction, and job generation,
23 among others.

24 **SEC. 15. Support Services for Local Producers and Suppliers under the Department of
25 Agriculture or Agrarian Reform Beneficiaries.** — The DA and DAR shall institute the
26 following benefits for local producers and suppliers as contained in their registry:

- 27 a) Training on production, harvesting, the procurement process of this Act, and
28 any other topic the DA and DAR deem fit;
- 29 b) Subsidized farm equipment;
- 30 c) Facilities for storage and harvesting;
- 31 d) Forming cooperatives;
- 32 e) Access to crop insurance; and
- 33 e) Access to credit/low interest rates.

1 **SEC. 16. Local Government Assistance.** — A portion of the Special Education Fund shall
2 be reserved for assistance of the local government in the operation of the National
3 School Feeding Program in their locality.

4 **SEC. 17. Implementing Rules and Regulations.** — Within sixty (60) days from the
5 effectivity of this Act, the Department of Education, in coordination with the National
6 Nutrition Council, Food and Nutrition Research Institute, Department of Health,
7 Department of Agriculture, Technical Education and Skills Development Authority,
8 Department of Interior and Local Government, Department of Social Welfare and
9 Development, Department of Trade and Industry, and other relevant government
10 agencies, non-government organizations, and development partners shall promulgate
11 the necessary rules and regulations for the effective implementation of this Act.

12 **SEC. 18. Periodic Review.** — The Department of Education shall submit an annual
13 report to Congress on the progress in the implementation of this Act.

14 **SEC. 19. Appropriations.** — The amount of Ten Billion Pesos (Php 10,000,000,000.00) is
15 hereby appropriated for the implementation of this Act and shall be sourced from the
16 proceeds of Philippine Charity Sweepstakes Office (PCSO) and Philippine Gaming and
17 Amusements Corporation (PAGCOR). Initially, a substantial portion shall be sourced
18 from the Social Fund of the Office of the President.

19 Thereafter, such sum necessary for its continuous implementation shall be
20 included in the Annual General Appropriations Act.

21 **SEC. 20. Separability Clause.** — If any provision or part hereof is held invalid or
22 unconstitutional, remainder of the law or the provision not otherwise affected shall
23 remain valid and subsisting.

24 **SEC. 21. Repealing Clause.** — All laws, decrees, orders, rules, and regulations or other
25 issuances or parts inconsistent with the provisions of this Act are hereby repealed or
26 modified accordingly.

27 **SEC. 22. Effectivity.** — This Act shall take effect fifteen (15) days after its publication in
28 the Official Gazette or in at least two (2) newspapers of general circulation.

29 Approved,