

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*First Regular Session* )



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**SENATE**

**S. No. 1231**

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Introduced by Senator Manuel "Lito" M. Lapid

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**AN ACT  
TO PROMOTE AND PROTECT THE HEALTH OF SCHOOL CHILDREN IN  
PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AND LEARNING  
CENTERS**

**EXPLANATORY NOTE**

In 2014, the UNICEF Philippines reported that 95 Filipino children die from malnutrition every day. In 2021, the World Bank stated that there had been no improvements in the prevalence of malnutrition in the Philippines for the past thirty years. Further, the Philippines ranked fifth among countries in the East Asia and Pacific region with the highest prevalence of stunting. Such health problems prevent the Filipino children of their chance to succeed and have a good and productive future.

With this, the World Health Organization promotes the prohibition against junk food and other unhealthy food in schools to promote healthier diets for children. Such prohibition in and near schools would minimize, if not totally eliminate, the incidence of malnutrition, child obesity and other health problems. As emphasized by the World Bank, good nutrition is a foundation for economic prosperity. Thus, investment on such is highly cost-effective. In 2013, it was found that every dollar invested in nutrition has the potential of yielding a \$44 return.

Healthy eating plays an important role in learning and cognitive development. Studies show that children who do not get adequate nutrients experience more difficulty in learning from school leading to lower academic test scores, or worse, tend

to drop out of school. Ensuring the availability of food that are high in nutritional content will not only promote better health but also better learning.

This program not only seeks to improve the health and well-being of our students, it also seeks to develop healthy habits that will serve them well into their adult lives.

Thus, this bill seeks to establish a Healthy Food and Beverage Program to be implemented in all public elementary and secondary schools and learning institutions. This is to promote healthy diet and positive eating behaviors and provide healthy eating environments to learners, teaching and non-teaching personnel in these educational institutions. Further, this bill aims to prohibit the sale, distribution, and promotion of junk food and sugary drinks inside and 100 meters from the perimeter of these educational institutions.

In view of this, early passage of this bill is sought.

  
**MANUEL "LITO" M. LAPID**  
Senator



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**AN ACT**  
**TO PROMOTE AND PROTECT THE HEALTH OF SCHOOL CHILDREN IN**  
**PUBLIC ELEMENTARY AND SECONDARY SCHOOLS AND LEARNING**  
**CENTERS**

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

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Section 1. *Short Title.* – This Act shall be known as the "*Healthy Food and Beverage in Public Schools Act*".

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Section 2. *Declaration of Policy.* – The State shall ensure the promotion and protection of the health and well-being of its people. The youth as a valuable asset for the future of any nation must be provided with the necessary environment where they can develop and harness their full potential. Towards this end, measures that contribute to the achievement of this goal must be pursued.

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Section 3. *Healthy Food and Beverage Choices Program.* – There is hereby established a Healthy Food and Beverage Program, hereinafter referred to as the Program, which shall be implemented in all public elementary and secondary schools and learning institutions. It shall establish the guidelines to promote healthy diet and positive eating behaviors and provide healthy eating environments to learners, teaching and non-teaching personnel in these educational institutions. The Program shall have the following objectives:

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- a. Make available healthier food and beverage choices;

- 1           b. Introduce a system of categorizing locally available food and drinks in  
2 accordance with geographical, cultural, and religious orientations;
- 3           c. Provide guidance in evaluating and categorizing food and drinks; and
- 4           d. Provide guidance in the selling and marketing of food and beverages,  
5 including the purchasing of food for school feeding.

6           Section 4. *Prohibition of Junk Food and Sugary Drinks.* – The sale, distribution,  
7 and promotion of junk food and sugary drinks inside the premises and within one  
8 hundred (100) meters from the perimeter of public and private elementary and high  
9 schools is hereby prohibited.

10           Section 5. *Definition of Terms.* – As used in this Act:

- 11           a. *Healthy diet* refers to balance in food intake which:
- 12           i.       Achieves energy balance and a healthy weight;
- 13           ii.       Limits energy intake from total fats and shifts fat consumption away  
14               from saturated fats to unsaturated fats and towards the elimination  
15               of trans-fatty acids;
- 16           iii.       Increases consumption of fruits and vegetables, legumes, whole  
17               grains and nuts;
- 18           iv.       Limits the intake of free sugars; and
- 19           v.       Limits salt consumption from all sources.
- 20           b. *Junk food* refers to food that contains any of the following:
- 21           i.       Saturated fat of more than five (5) grams or more than one (1)  
22               teaspoon per serving;
- 23           ii.       Trans fat;
- 24           iii.       Sugar or total carbohydrate of more than twenty (20) grams or more  
25               than four (4) teaspoons per serving; or
- 26           iv.       Sodium of more than two hundred (200) milligram or 1/10 teaspoon  
27               salt per serving.

1 The Department of Health (DOH) shall, as often as necessary, conduct a review  
2 of the thresholds provided herein and adjust the same if necessary to attain  
3 the objectives of this Act.

4 c. *Sugary drink* refers to any liquid substance made for drinking that is carbon-  
5 based or with carbon dioxide gas and categorized as soft drinks or sugar-  
6 based synthetic or artificially flavored juices.

7 Section 6. *Penalty.* – The owner or operator of any canteen, eatery, restaurant,  
8 or store that sells junk food and sugary drinks inside the premises and within one  
9 hundred (100) meters from the perimeter of any public or private elementary or high  
10 school in violation of this Act shall be punished by a fine of not less than Twenty-five  
11 thousand pesos (Php 25,000.00) but not more than One hundred thousand pesos (Php  
12 100,000.00), or by imprisonment of not less than six (6) months but not more than  
13 one (1) year, or both, at the discretion of the court.

14 *Provided,* That in case the owner or operator is a partnership, association,  
15 corporation, or any other juridical person, the penalty shall be imposed on the  
16 president or treasurer of the canteen, eatery, restaurant, or store. In addition, the  
17 license to operate of the canteen, eatery, restaurant, or store shall be suspended for  
18 six (6) months.

19 Section 7. *Implementing Rules and Regulations.* – The Secretary of Education  
20 and the Secretary of Health shall jointly issue the rules and regulations necessary for  
21 the effective implementation of this Act within sixty (60) days upon its effectivity.

22 Section 8. *Separability Clause.* – If any provision or part of this Act, or the  
23 application thereof to any person or circumstance, is held unconstitutional or invalid,  
24 the remainder of this Act shall not be affected thereby.

25 Section 9. *Repealing Clause.* — All laws, presidential decrees, executive orders,  
26 proclamations, rules and regulations, or any part thereof, which are inconsistent with  
27 the provisions of this Act are hereby repealed or modified accordingly.

1           Section 10. *Effectivity Clause.* — This Act shall take effect fifteen (15) days  
2 from its publication in the Official Gazette or in a newspaper of general circulation.

3           *Approved,*